California Journal

The Monthly Analysis of State Government and Politics

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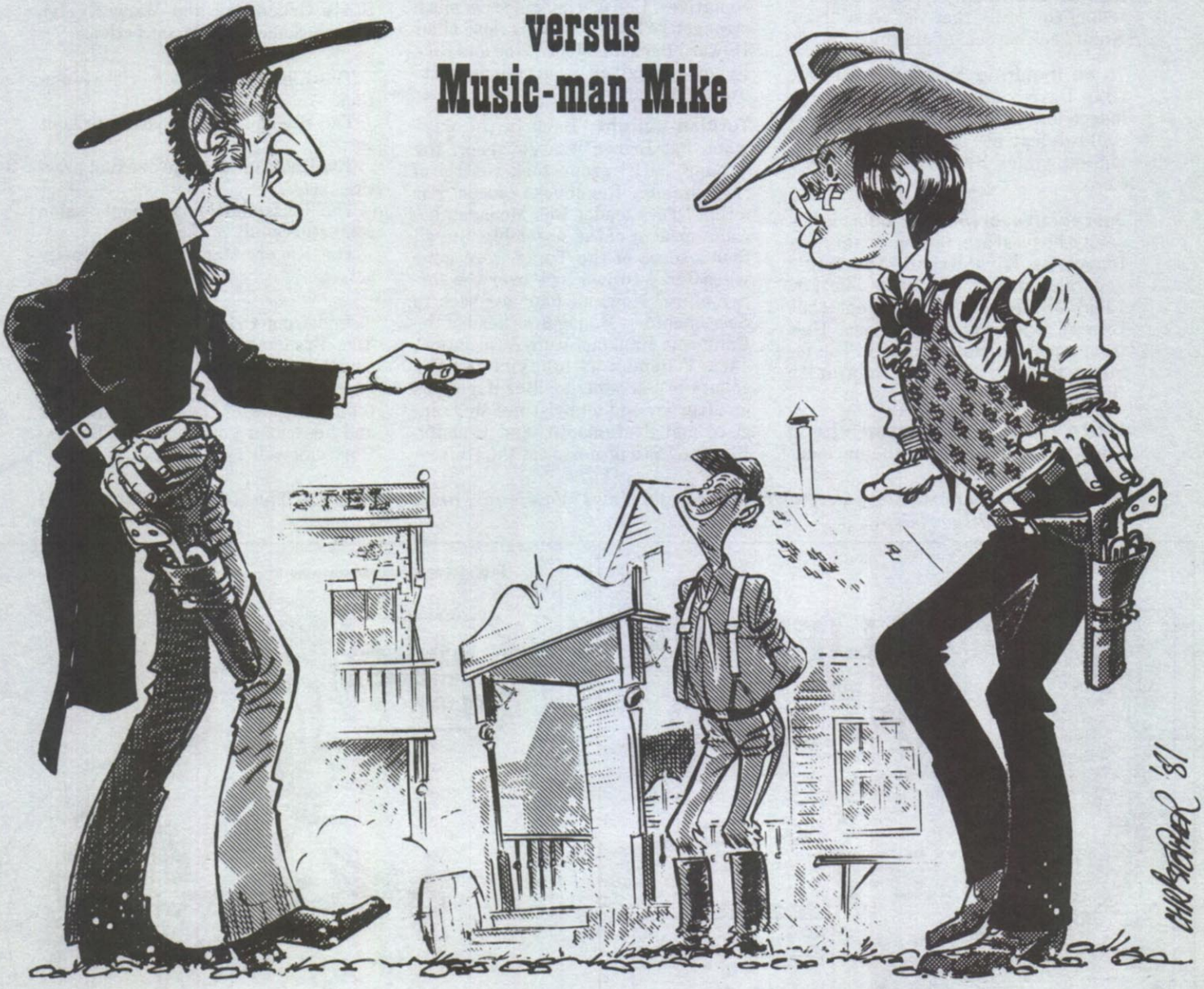
DUEL IN THE SUN

The Duke versus Music-man Mike



Power guide to the Assembly

Who is California's best politician?

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Do political reporters show bias when they brand officeholders to the right of center as ultra-conservatives or hard-liners? State Senator Bill Richardson thinks so, and he's doing something about it. He's pointing out to Capitol reporters that they don't call those at the other end of the spectrum ultra-liberals or hard-leftists. Richardson is telling the press that the term "New Right" has his seal of approval.

To an inquiring Eastern journalist, Gray Davis conceded that there was indeed one California Republican who could defeat his boss in the coming United States Senate race — Jerry Ford.

Just about everyone in California has seen those state fair commercials featuring Kirk Breed, the fair's general manager who looks like Mr. Ideal Westerner. It turns out that Breed's breeding is suspicious. He's from a pioneer Boston family. The famous Bunker Hill was originally Breed's Hill.

Word from Washington: Leon Panetta of Monterey is being mentioned as a possible future speaker of the House of Representatives. Panetta is making points with his colleagues in the handling of budget issues.

Congressman Henry Waxman of Los Angeles has already built himself into a potent force in the House of Representatives. Can you imagine how much stronger he'll become if his close allies Howard Berman, Mel Levine and Rick Lehman are given congressional seats by reapportionment?

Turkish delight: Back in the days when Pat Brown was governor, the "Young Turk" group took control of the Assembly Republican caucus. For a time, Turk leader Bob Monagan became speaker of the Assembly. But all four leaders of the Turks were gone when Jerry Brown took over the corner office. Now, all four are back in Sacramento — Monagan as head of the California Manufacturers Association, Jack Veneman as lobbyist for the county of Sacramento, Bill Bagley as an attorney and lobbyist in San Francisco and Sacramento, and Houston Flournoy as a professor at the University of Southern California campus in the Capitol and as a spokesman for the private universities. They may now be called the "Old Turks."

Contributions to the fictitious-bill-title collection this month came from Laura Remson Mitchell, Arne Werchick, Linda McIntosh, Bob Nelson, Steve Greenberg and Mary Evelyn Young. Some of their concoctions:

The Ellis-Presley memorial resolution.

The Stiern-Briggs floating prisons act.

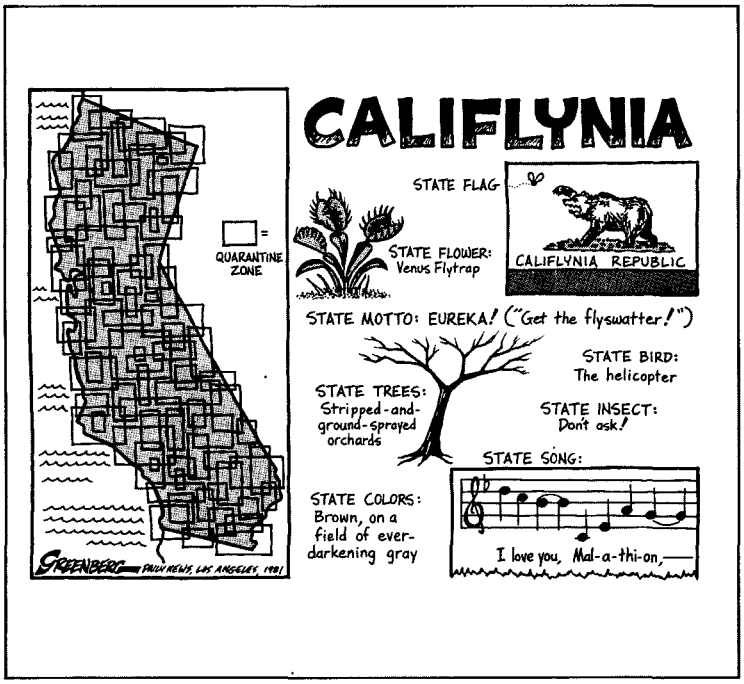
The Lehman-Mountjoy sexual practices act.

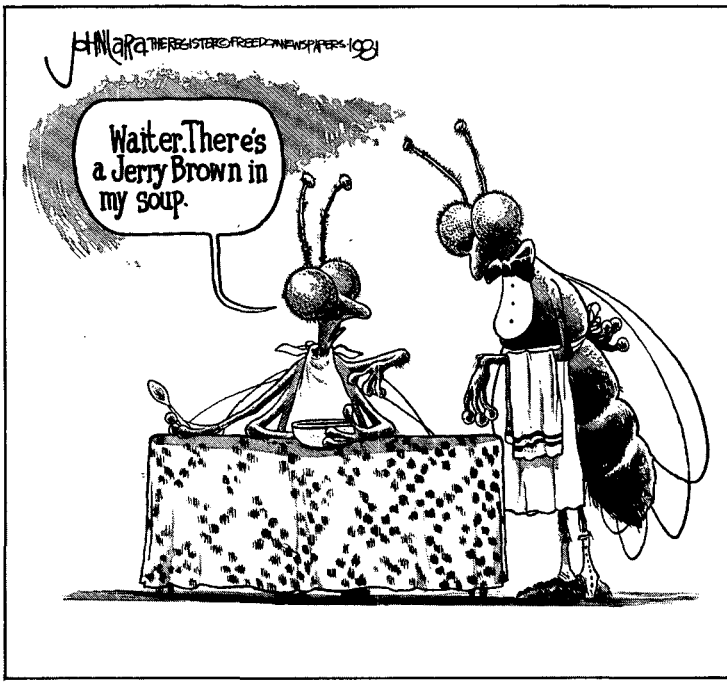
The Frizzelle-Harris beauty-salon competence bill.

The Rogers-Hart musical comedy act.

And from Craig Lawson in Mayor Tom Bradley's office in Los Angeles comes the finale for the fictional bills report. He suggests that a bill be tombstoned after the state's governor and lieutenant governor: The Brown-Curb sidewalk anti-defecation act.

Here's how cartoonists Steve Greenberg of the Daily News *(Van Nuys) and John Lara of* The Register *(Santa Ana) viewed the Medfly crisis:*





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CONTENTS

The state's best politician? 341

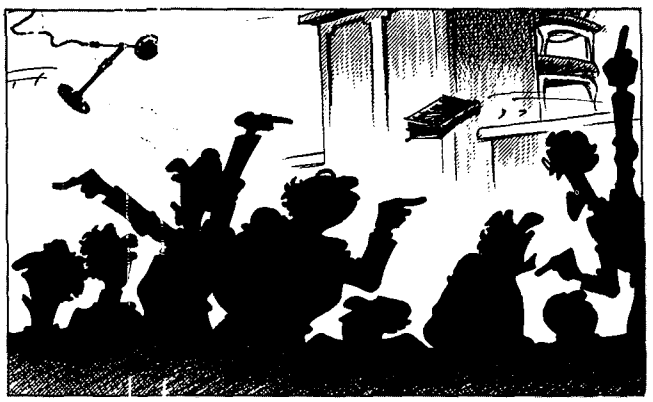
By Toby Snor

Like an old-fashioned ward heeler, LA Supervisor Kenneth Hahn remembers names, fixes potholes and delivers for his district.

The GOP kingmakers 344

By Ed Salzman

A handful of wealthy businessmen may make machine politics the real issue in the Republican primary next June.



Power guide to the Assembly 349

By Daniel J. Blackburn

From the Patriarchs to the Easy Riders, 80 members of the state Assembly are given political checkups.

Signature mercenaries 357

By Charles M. Price

To qualify any ballot measure, just contact the professional petition-passers — and be prepared to pay.

Lawyers in Reaganland 359

By Steven Pressman

Growing parades of California attorneys are moving to Washington, where government means business.

The new John Briggs 361

By Charles Roberts

The state Senate's top showman is polishing a different image as he dreams of a leadership role in 1983.

The product-liability blues 363

By Mary Kathleen Smith

A controversial court ruling has manufacturers pleading for relief from a predicted flood of liability lawsuits.

Newspapers' political clout 366

By Kenneth Rystrom

Editorial endorsements in 1980 elections tell more about the state's newspapers than about the voters' responses.

Courts . . . . . 362 Roll call 368
Strictly opinion . . . 365 Leo Rennert 371
Charting the issues 370

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Personal
PERSPECTIVE

By Ed Salzman

The management strike

Every public employee in America has a large stake in the Reagan Administration's victory over the air controllers' union. President Reagan has set an example that may be followed by state and local officials sitting across the bargaining table from militant labor organizations. In traditional private-enterprise collective bargaining, the strike is the ultimate weapon of the union. Now, in public-sector bargaining, the strike may be used as a management machete.

California state workers ought to be wondering what they have won with their newly obtained collective-bargaining rights. An anti-labor governor might even welcome a strike as a means of firing thousands of entrenched civil servants and streamlining the state government. (And the new collective-bargaining system is hardly worth much at a time when the state is feeling the fiscal pincers of Proposition 13 and cutbacks by the Reagan Administration. Will state workers bargain for higher taxes?)

Federal employees, including the air controllers, sign an oath promising not to strike — in theoretical exchange for extraordinary job security. No such oath is administered in California, although public-employee strikes are supposed to be illegal. Legal or not, walkouts occur frequently and have become an accepted element in the inevitable struggle between citizens trying to keep their taxes low and workers attempting to better themselves and keep pace with the cost of living.

In recent years, public employees have made substantial gains in California. It is now assumed (and written into the law) that groups of state and local workers have as much right to bargain over salaries and working conditions as those working for private corporations. If public employees have the right to bargain but not to employ the ultimate weapon, how are stalemates going to be broken? Because there is no answer to this question, unions have either been forced to take what management offers or strike illegally.

Some public-employee groups have suggested that the alternative be the submission of a dispute to an arbitrator, whose decision shall be binding on both sides. Local government has opposed this plan on the ground that major economic decisions should not be placed in the hands of outsiders who cannot raise taxes to provide funds for any increases they impose.

But there is another issue that should be addressed first: Should all public employees be treated alike? Perhaps the ban on strikes should apply only to those public employees who are vital to the maintenance of public health and safety. Examples: police officers, firefighters, prison guards, hospital workers. There would be little harm in allowing most blue- and white-collar workers in state and local government to go on strike if a bargaining impasse were reached. The right to strike might even be extended to those who provide services that are important to the economic health of our society or to the smooth functioning of our communities. Is it any more of an inconvenience to the public when air controllers strike than when airline pilots or mechanics walk off the job?

Public employees want to be treated the same as workers employed in the private sector, but that goal can never be accomplished. As a result, labor-management relations in government will probably always be subjected to shifts in the political cycle. With the winds blowing from left to right, these may be remembered as the times when public employees threatened to strike and found management providing the picket signs.

ROSTRUM

Short letters from subscribers are encouraged.

The garbage bandwagon

Your article (July 1981) did a good job of outlining California's garbage crisis. However, it failed to discuss the board's comprehensive approach to the problem — waste reduction, recycling and waste-to-energy systems.

I doubt that any of *California Journal's* readers want to live near a "sanitary landfill." If not, they're just like everybody else. Consequently, the state is faced with a landfill shortage because disposal sites are closing and public opposition has made siting new ones almost impossible.

What do we do about it? The board has attempted to convince Californians that recycling is good for them. Why? Because it saves energy, natural resources, and, in the long haul (which, incidentally, is what we have to do with garbage when there aren't any landfills nearby), tax money.

The article bemoans the lack of demand for recyclable material but fails to mention that the board has made increasing demand its highest priority program. As an example, board efforts have significantly opened vast markets for glass and plastics. In addition, the board is pursuing legislation that would authorize us to focus more on the demand for, rather than the supply of, recyclable resources.

Finally, a survey we recently conducted indicates that 70 percent of the California public feels "people should be required to separate recyclable items from their household garbage," and 62 percent say business should use recycled materials even if it would cost the consumer slightly more.

So, look out. The garbage bandwagon is rolling, and the recyclers are riding shotgun.

TERRY A. TRUMBULL
Chairperson, State Solid Waste Management Board, Sacramento

Doctor competition

I was shocked by Dr. Sanford Marcus' "Too Many Doctors" personal-opinion column (May 1981) in which he advocates closing two medical schools because of a supposed oversupply of doctors.

I can understand how a doctor may get tired of going up to Sacramento to put the case to the Legislature for

Continued on page 369

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LA's Kenny Hahn — the state's best politician?

By TOBY SHOR

If Kenny Hahn isn't California's best politician, who is? An anachronism in an era of slick television commercials and sophisticated direct-mail campaigns, Hahn succeeds as an old-fashioned ward politician. For 34 years, Hahn has represented the black heartland of Los Angeles County as a city councilman and county supervisor. He is the only white politician who can win in Watts, and he is so popular that he usually draws only token opposition. Hahn's son, Jimmy, recently was elected Los Angeles County controller with the benefit of little else except his father's name.

Ask almost anyone in Hahn's district why the supervisor is so popular and you usually get this answer: "Hahn delivers." What does he deliver? For starters, there are swimming pools, fire stations, parks, hospitals, community centers, playgrounds, libraries, street lights, sewers, roads, storm drains. And then there are county jobs.

On a couple of occasions, Hahn has even been called upon to build lakes. His initial response was, "Me, build a lake? That's a natural thing, like someone asking you to build a mountain or an ocean or a river. Now, I built 18 swimming pools; that I can do." But before long two lakes appeared in the heart of Watts. That wasn't the end of Hahn's work: He routinely makes certain that his lakes are full of fish.

Assembly Speaker Willie Brown calls the boss of South-Central Los Angeles "the embodiment of what a local elected official should be." Echo Goto, a Hahn-selected commissioner for the Martin Luther King Hospital, elevates Hahn a bit higher: "The people here think he's God, period. The black people think he's the Savior." It often comes as a shock to children in Hahn's district when they discover that their supervisor isn't black because he is so universally accepted as the political leader of the community. Explains Hahn aide Marcine Shaw: "They feel that he is one of the family, ready to welcome him for a lemonade or a bite to eat. I don't think they remember he's white. Lot of folks say that he's just 'passing.' "

Minorities comprise 70 percent of Los Angeles County's Second Supervisorial District, yet Hahn's lack of color has never been an issue in his 34 years of service, six as a councilman and 28 as a supervisor. He routinely receives 80 percent of the vote. Even in 1968, only months after the Watts riots, Hahn was given a 70 percent vote against a highly respected black opponent, former city councilman and current Superior Court Judge Billy Mills.

How does he do it? Hahn may look like a country bumpkin, but he's about as shrewd a politician as the state has seen. Mills calls Hahn "the most complete politician in the country today." Speaker Brown says the key to Hahn's success is delivery. "Ask him to put in a street light," says Brown, "and he'll not only have it put in right away, but he'll personally check it out when he drives by the next day."

Inspections and field workers

Every morning, Hahn drives to work following a different route through his district. He is on a constant lookout for problems to solve in his goal to provide the best county services to an area that most officials would rather ignore. Tape recorder in hand, he notes anything in disarray so that corrective action can be taken that day. He takes his daily inspection trips seriously, and he often stops along the way to chat with constituents. Hahn's accessibility more than offsets his unsophisticated and perhaps buffoon-like demeanor in this era of the slick, well-manicured officeholder. Hahn knows his district in detail, all 2,300 precincts in the Third World mix of people — Samoans, Tongans, Hispanics, Chinese, Japanese, Filipinos and blacks.

Hahn has also established a network of unpaid field workers who help him provide services and thus help him get re-elected. Hahn seeks out community leaders and anoints them as field deputies. "With a million and a half people, my district is bigger than 10 individual states. I can't be everywhere, so I need someone to tell me, 'Kenny, you better get down there, there's something brewing or there's a little rumbling over there.' These people are generally old-time civic leaders . . . and they don't want anything except a little honor. I depend on them and trust them and they trust me. I go to their homes and I listen to them and I

Toby Shor is a free-lance writer in Los Angeles.

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respond . . . It's a wonderful way to keep in contact with so many different groups."

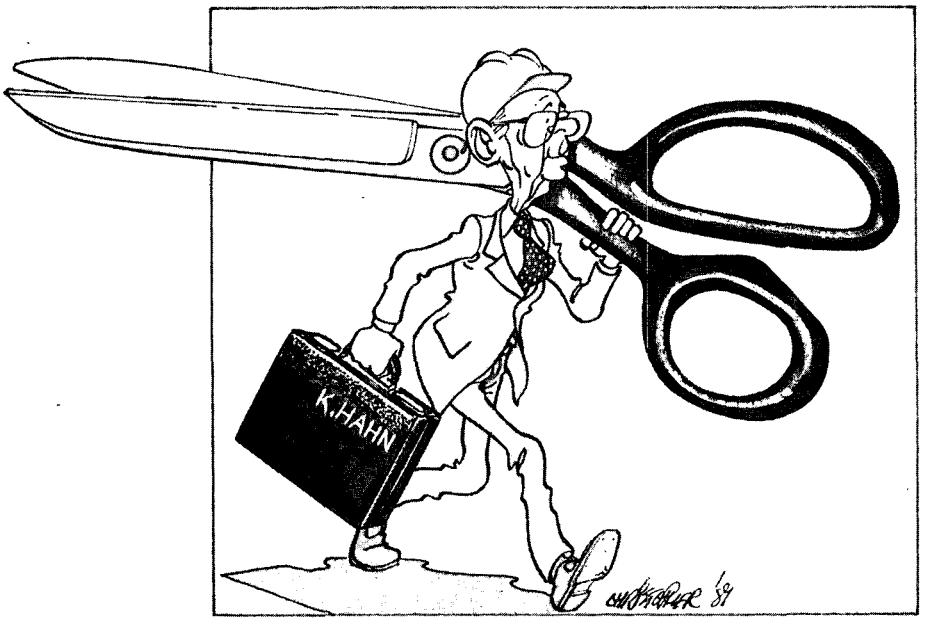
Hahn claims he is the luckiest man in the world, comparing himself to an angler who can fish for a living. He often refers to himself in the third person as "The Supervisor." Supervisor Pete Schabarum claims Hahn "is involved in the job and all the little nuances 24 hours a day." Adds Hahn: "I love being in politics. And the county of Los Angeles pays me a fine salary with all the tools at my command to deliver the kind of service I want to. I am a fulfilled and happy man. I could work all my waking hours, even on Christmas, to do a service."

The man who may be California's best politician has lived all of his 61 years in the Second District. The youngest of seven brothers, his family moved to Los Angeles from Canada shortly before he was born because his dying father was advised to move to a warmer climate. The father died before Kenny was born. Times were hard, and the family was poor. He was forced to start work early with a paper route at five. He delivered milk and sold magazines. During these early years, Hahn cultivated a taste for politics. The then-mayor of Los Angeles, Frank Shaw, lived a few blocks away. Young Hahn would watch the mayor be driven off each morning with a police officer as chauffeur. "I thought, man, that's the job I would like. It had the symbolic sign of authority and being able to do things and 'There goes the mayor.' As a kid, I saw the mayor as the person getting all the hoopla."

Hahn started to dabble in politics at Pepperdine College, where he majored in political science and founded a club called the Decurean Society. While at college, he would lend a hand at the family gas station. Hahn's chief deputy, Harry Marlow, says the service station was where political discussions took place. "He would talk to people as they came in, and he developed a sense of the community," Marlow says. Hahn learned who held power, and he befriended black political activists.

Over the years, Hahn also learned that it isn't enough to deliver: A successful politician must get public recognition for the goodies he delivers. The Second District is littered with enormous signs marking the buildings, parks and pools he has dedicated. Nobody does a better job than Hahn of reminding his constituents what he is doing for them.

Take the dedication earlier this year of the Augustus Hawkins Mental Health Facility at the Martin Luther King Hospital — the fourth dedication ceremony at the hospital. There were the flags, the martial music, the children's choir. On the platform sat a variety of political figures, including controller candidate Jimmy Hahn. The elder Hahn, who never seems to forget a name or a face, scanned the audience and gestured to one person after another: "Hi, there, Mary. How's your mom doing?" . . . "What's happening, Joe?" Hahn was introduced: "He needs no introduction, for Kenneth Hahn has been our friend for years. So instead, let me present Our Supervisor." Hahn humbly credited those "without whom this building would not be possible" and quoted from the Bible. He eventually presented Congressman Augustus Hawkins, after reviewing their friendship of 40 years. Intoned Hawkins: "Hahn never runs out of ideas, and he certainly never runs out of buildings to dedicate to us." Pointing to Jimmy, Hawkins added: "It looks like we'll be voting for Hahns for a long time to come." The speeches were over, and the time had come for the indispensable photos of the ribbon-cutting ceremony. Was Hahn prepared? A Hahn ceremony is never lacking a red ribbon, giant scissors, a shovel or a hard hat. These are the tools of Hahn's trade, and he always carries them in the trunk of his car.



Does Hahn stay in office because his ego requires the attention he gets from these ceremonies? "I see it as my duty, my mission, to help govern a county of 7 million people," he responds. "To be a symbolic figure of government and a haven to strangers. I look at every generation, and I want their mothers and fathers to look at what I've done and say, 'That's Kenny Hahn, who's the supervisor.' That's it. That says it all."

There have been times when Hahn has had the notion to seek higher office. On two occasions, he tried to win the Democratic nomination for United States senator (and he may yet try again). He failed because he did not recognize that the politics of the Second District are not the politics of California. So he went back to his basic mission of providing services for his people: a paramedic system or call boxes on LA freeways. Hahn never seems to run out of ways to use tax resources to provide direct services for the people of his district and the county as a whole.

Is Hahn's effectiveness attributable to his knowledge of the power available to the office? Hahn's answer: "I know county government. When I first got to be supervisor, the first thing I said was, 'Give me the county charter. Let me read it.' I wanted to know what the power and authority of the board of supervisors was under the county charter. So now, when I quote from it, I know the section and article.

"I also went to see one of the people who wrote the county charter who was living when I got elected. His name was Frank R. Seaver. And I said to him, 'Why did you put this in the county charter? Why didn't you put this in there? Why did you make the board of supervisors this powerful? Why did you make so few elected officials in the county?' " (Los Angeles is the largest county in the state of California, yet it has the fewest elected offices.)

Hahn says that, through his luncheon meetings with Seaver, "I got all the feelings of the people who had the vision for the present county in 1912. I found out that, in effect, I'm a road

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commissioner — that the five supervisors are the election commission. I found out what the authority, power and duties were — even that we plant shade trees. That's what's in part of the constitution of California, 'The supervisors will plant shade trees.'

"Well, these are unique little things I developed and found out. So I know the functions of county government, not for any glory or power but to make it work. The county government is like an iceberg. It's invisible to a great degree; 90 percent is invisible and maybe 10 percent is the tip."

Free of chuck holes

Hahn has critics, but they decline to be identified for fear of retribution. They portray Hahn as a powerful, tough, heavy-handed, vindictive, egocentric master-manipulator. They charge that Hahn is not interested in the overall welfare of the public but only how much political mileage he can get from each opportunity.

With absolute confidence, Hahn says that these critics include other members of the board of supervisors. "My enemies are just jealous," he says. "They could do the same thing in their districts. I have the toughest district probably of any white officeholder in America to represent. They should be glad they got Kenny Hahn to help."

In Los Angeles, the supervisors divide the responsibility for various county operations. Hahn's operations have little political sex appeal — the auditor-controller, building services, the mechanical department, parks and recreation and roads. Hahn says he selected some of these because they deliver direct public services. On a drive through his district, he asks and answers his own question. "Did you see one chuck hole? No!" Since he is in charge of the Road Department, Hahn can make certain that the roads in his district are always paved, painted and cleaned. "No supervisor wanted it (the Road Department) before, because they didn't know what it could do," he says. "But I knew what it could do. It can deliver a terrific service."

For Hahn, the same is true of the Building Services and Mechanical Department: "If a judge calls you up and says the carpets need cleaning or the district attorney needs a car . . . the Mechanical Department has the fleet of county cars . . . (I just) pick up the phone and I can have an excellent service for anyone. I've got the auditor-controller, which is the fiscal officer . . . Writes every check for every department. I know what's being paid. It's the watchdog of the treasury . . . (But) I don't have any glamorous departments." Glamorous or not, Hahn probably holds more IOU's than any other politician this side of the Mississippi. Does this help some of his constituents get jobs in the various departments? With a smile, he says, "It's not getting them the jobs; it's helping them keep the jobs."

What Hahn considers "providing a service" others might call "political campaigning." Under any name, Hahn is the master of it. Former Carson Councilman Gil Smith claims "Kenny can stay in office as long as he likes, probably forever." Hahn simply loves to campaign, and his son's controller race gave him an extraordinary opportunity. Some of those in Jimmy's campaign say the father ran the show. The supervisor claims that he went to his son's campaign office only twice during the year-long campaign, but he does acknowledge more than a passing interest in establishing the Hahn dynasty. "Did you see how many people said, 'We won, Mr. Hahn?' It means I'm part of their lives. They share in my glory and they share in my sadness."

Kenny Hahn won his first office the hard way, by defeating an incumbent city councilman by eight votes in a recount. (Incumbent Kapp Alan led before the recount by 22 votes.) His chief deputy Marlow claims that ever since one of Hahn's favorite expressions has been, "Every vote counts."

Billy Mills attributes Hahn's staying power in the black community to his incredible memory and "uncanny mind for detail. For most politicians, that's mundane junk. But to Hahn, that's the key to longevity in office. He follows it like the Bible. He's not bored with it. He's excited by it. He's latched on to some real basic human psychology. You can smell, feel, taste and touch what he's done. Hahn doesn't really promise anything. He just delivers without making the promise — and then he reminds them that he's done it."

And reminds them. And reminds them. And reminds them.

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CAMPAIGN '82

Will voters reject GOP kingmaker politics?

By ED SALZMAN

It may turn out that 1982 will be an election year in which June primary candidates play supporting roles to an overriding political issue: Will voters tolerate a return to machine politics in the state's Republican Party?

Many Californians undoubtedly do not know or remember that just a generation ago virtually all GOP candidates for major statewide office were hand-selected by the owners of three newspapers — the *Los Angeles Times*, the *San Francisco Chronicle* and the *Oakland Tribune*. That publishers' alliance crumbled in 1958 when an era of Republican dominance came to an end, thanks in part to the ambitions of William F. Knowland, ironically a member of one of the ruling newspaper families.

The new GOP would-be kingmakers are a group of powerful Southern California businessmen who have formed a "screening" group for GOP candidates for senator and governor. Several members of this group are considered members of President Reagan's "kitchen cabinet." Others have been brought into the organization because of their positions within the party or because of their general stature. Among the members are industrialist Justin Dart, oilman Henry Salvatori, Republican finance chairman David Murdock and former President Jerry Ford. Dart and other members of the Reagan "kitchen cabinet" have been supporting Lieutenant Governor Mike Curb for years, and they have been trying to pave an easy path to the governor's office for the former Hollywood music man. The group has been influential in moving Mayor Pete Wilson of San Diego into the Senate race, a step that could hurt Curb more than it helps him. And the organization has been conducting formal interviews with Senate candidates before selecting one as the favorite for the nomination. Because of his shift, Wilson supposedly has the inside track for the endorsement, although it could go to Congressman Barry Goldwater Jr.

A huge bankroll

The political-machine issue can hardly be avoided in the race between Curb and Attorney General George Deukmejian for Jerry Brown's job. Thanks in part to the help from the Dart group, Curb has amassed a huge campaign bankroll. Money will be his biggest — and perhaps only — asset as the campaign gets into the woo-the-voters stage. Curb has no record to spread before the public, nor does he have a sharply defined favorable image to market. He won the lieutenant governor's job in 1978 because he was running against an opponent (Mervyn Dymally) who had been portrayed as a villain by some major newspapers.

A few months ago, Curb had a large lead in the polls — especially when matched against both Deukmejian and Wilson. But a poll taken in August by the Mervin Field organization showed the young lieutenant governor and Deukmejian running neck and neck. Perhaps more significantly, a poll of party sophisticates taken by the *Los Angeles Times* showed a marked preference for The Duke.

The Republican side of the governor's race could become vicious. Curb has already reacted to the polls by reorganizing his campaign (and by seeking to buttress ties to the Reagan White House). Both Curb and Deukmejian have indicated in the past a willingness to go for an opponent's jugular. And that may be the only way Curb can win the primary. The pollsters claim that Deukmejian has an image that is almost negative-free. He has a long record as a solid Republican member of the Legislature, with emphasis on law-and-order issues. He has been a rock-hard conservative as attorney general and has attacked Governor Brown and the Democrats on the state Supreme Court at every opportunity. Deukmejian may be dull, but he knows government and can offer something tangible to the voters. Curb has indicated that he will try to cut Deukmejian down by painting the attorney general as a moderate. That would leave Curb as the only true conservative in the race. And he'll have barrels of money to use in selling that theme. Will the public buy it in the face of Deukmejian's reputation among party regulars? Will there be resentment against a small band of self-appointed leaders trying to make decisions for the rank-and-file registered GOP voter?

Without an incumbent in the governor's race, it is surprising that there are not more major candidates. Wonder of wonders, it appears that Mayor Tom Bradley of Los Angeles will get a free ride through the Democratic primary. State Controller Ken Cory has acted at times as though he would run, but it now appears that any challenge to Bradley would be foolish. A fool is something Cory is not. Bet on him running for re-election as controller.

Field's California Poll shows that Bradley would demolish Cory or any other possible Democratic contender on the horizon. Surveys by Field and others also give Bradley a strong lead over Curb or Deukmejian in a November runoff. But those polls are generally discounted by professionals because the race undoubtedly will get close as the election nears.

Most Democrats think Bradley will be stronger against Curb than Deukmejian. Bradley's electoral record in Los Angeles shows that he is extraordinarily popular, even among Republicans, despite (or because of) a generally cautious approach to controversial issues. He has a smart campaign adviser in David Garth of New York, and he is riding high after an easy re-election victory. Yet, there is nervous-

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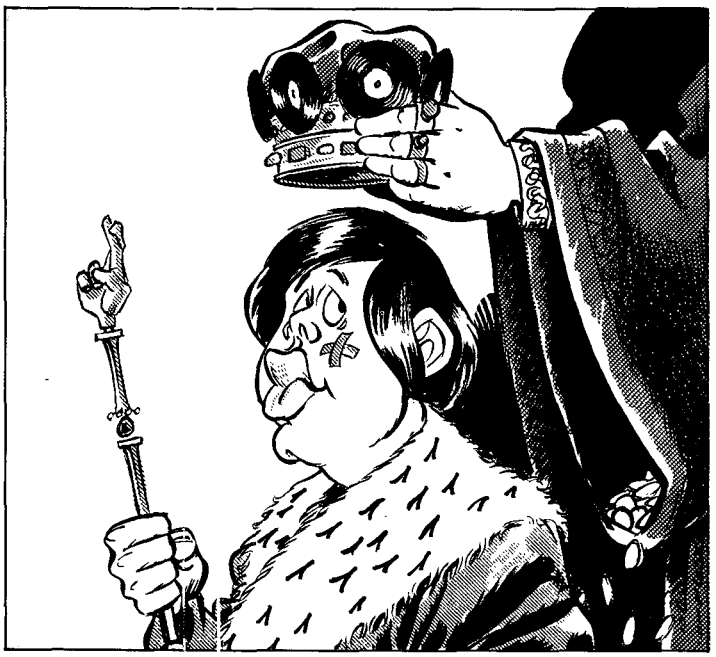
ness among Democrats over a Bradley-Deukmejian matchup. The Duke can exploit the law-and-order issue. He will be the beneficiary of any racist vote, even though he is far above the fanning of any fire of bigotry.

A Senate stampede

There is the general feeling that 1982 might be another Republican year, and the party will try to heal any wounds from the primary — with Dr. Reagan heading the medical team.

In any event, the outlook for the governor's race is remarkably simple — a free ride for Democrat Bradley and a head-to-head race on the Republican side. Deukmejian apparently will run as an independent, while Curb may head a slate that includes candidates for several other offices. The danger for Curb would be additional public awareness of the presence of machine politics in the Republican Party.



The Senate race, by contrast, still looks like a stampede by all the animals in the political zoo. Jerry Brown would love the luxury of a Bradley-type primary, but he won't get it. Politicians love to attack the weak, and the polls make it look as if Brown is ripe for plucking by the scavengers of the political world. Mayor Daniel Whitehurst of Fresno was the first to enter the race. Former Assembly Speaker Leo McCarthy was attempting to raise enough money for the race, and others were also circling overhead, including Supervisor Kenny Hahn of Los Angeles (who has run for the Senate twice before). In any event, the Democratic primary will be a test of Jerry Brown's salesmanship — rather than a showing of popularity by any of his opponents.

Not so in the Republican primary, where the influence of the Dart-Murdock group could be especially potent. Last year, the hand-picked candidate of the GOP kingmakers — Proposition 13's Paul Gann — turned out to be a miserable challenger for Democrat Alan Cranston. Pete Wilson undoubtedly would be a stronger nominee for the party, but the Gann episode eliminated much of the fear factor for other potential candidates. No longer will a John Rousselot choose not to run rather than risk the wrath of the Justin Darts of the Grand Old Party.

As a result, Wilson will have to claw and scratch his way over three other candidates to win the nomination and fight a rear-guard action against several others behind him in the early polling. The candidates break into two flights, with Barry Goldwater Jr., incumbent S. I. Hayakawa, Congressman Pete McCloskey and Wilson bunched at the top. The other five possible candidates are far to the rear — First Daughter Maureen Reagan, Congressmen Bob Dornan and Rousselot, state Senator John Schmitz and law-school dean Ted Bruinsma.

Wilson will have several advantages — his traditional following in San Diego and among party moderates, a possible kosher label from the conservatives in Reagan's kitchen cabinet, plus enough money to raise an effective campaign. But Hayakawa holds steady in the polls at 20 percent, and he has been campaigning with vigor at the age of 75. Goldwater has the magic name, and he has consistently been a big favorite with the conservative wing of the party. McCloskey is a maverick who figures to do especially well in Northern California. Can any of the other candidates break into the top bracket? That would depend primarily on their ability to raise money. (Candidates for Senate fall under federal rules, which limit individual contributions to $1,000. There is no limit on donations to candidates for state office.) Dornan has raised large sums in the past through direct-mail solicitations, and Maureen Reagan undoubtedly has some resources — despite her father's indications that he would rather see her sit on the sidelines. (She could embarrass him with her liberal views on some issues.) Schmitz, Rousselot and Bruinsma are longshots, although Rousselot is well-liked within the political community.

The 1982 elections may be the pivotal test for the Dart-Murdock group. If Curb and Wilson are both defeated, perhaps the machine will disband, just as the power brokers of another generation disbanded their cartel during the debacle of 1958. But if Curb and Wilson are successful in June, even if they are defeated in the general election, the GOP oligarchy may get even more bold in elections to come.

The statewide picture

With more than eight months remaining before the June primary, the statewide election picture seems much clearer than could have been expected just a couple of months ago — with the exception of the Senate race. The main question seemed to be whether Assembly Speaker pro Tempore McCarthy would run for the Senate against Jerry Brown or for lieutenant governor. Assuming McCarthy runs for lieutenant governor, here is the current outlook:

Lieutenant Governor — The incumbent, Curb, will be a candidate for governor. Assembly Minority Leader Carol Hallett will probably be the leading GOP candidate, and she might become identified as Curb's "running mate" if she draws significant opposition. Other possible candidates include state Senator Marz Garcia and former Republican state Chairman Truman Campbell. Leo McCarthy apparently can have the Democratic nomination for the asking. If Leo tackles Jerry, a likely candidate is Gray Davis, the governor's chief of staff. One or more Democratic state senators with free rides in 1982 might also run for the seat.

Attorney General — With George Deukmejian running for governor, this race might draw several Republican candidates. The earliest entries are George Nicholson, one of Deukmejian's aides and a favorite of district attorneys, and Assemblyman David Stirling of Whittier. Look for more action in the GOP primary. The leading Democratic candidate is John Van De Kamp, district attorney of Los Angeles County. State Senator Omer Rains also has indicated a strong interest in running, but he is being urged to seek re-election to the Senate.

Controller — The Democratic incumbent, Ken Cory, has been working behind the scenes for years to generate steam behind his candidacy for governor. But the boilers are luke-

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warm at best, and those close to Cory say the controller will run for re-election rather than gamble that Tom Bradley's popularity will disappear overnight. Cory may have difficulty winning re-election, however. It appears that the Dart-Murdock group will put its muscle behind Jack Ford, the San Diego resident who is the son of Palm Springs resident Jerry Ford. Ernie Dronenburg, the only Republican on the state Board of Equalization, also wants to run for controller but only if the odds are decent.

Secretary of State — Incumbent March Fong Eu has toyed with running for higher office, but probably will decide that 1982 is a very good year for a Democrat in her spot to play it safe. She really hasn't been challenged since the primary of 1974. Veteran GOP Assemblyman Gordon Duffy of Hanford has talked about running against her, and Duffy could probably raise enough money to make the race interesting, especially if a Republican tide is running.

Treasurer — Incumbent Jesse Unruh is probably the most frustrated powerhouse politican in California. He would love to run against Jerry Brown in the primary or take another shot at the governor's office. Instead, he is making peace with Bradley and telling himself he will just have to wait for 1986 or beyond. Unruh probably will draw only token opposition: he need fear only a GOP sweep.

Superintendent of Public Instruction — The three-term incumbent in this non-partisan office, Wilson Riles, will have to fight to keep his job. The field may get crowded, and that may not be good for him. Under the rules of the election, Riles must get a majority of the vote in June or face a runoff in November. He would probably be the underdog in any runoff. Thus far, the most active of his opponents has been Bill Honig, a Marin County school superintendent, a member of the State Board of Education, a former businessman, a lawyer and undoubtedly a future doctor and Indian chief. Dick Ferraro, a member of the Los Angeles school board, has good name identification. Sheldon S. Baker of Glendale is known within the school community as the immediate past president of the California School Boards Association. Gene Pratt learned the political pitfalls around the state as aide to Hayakawa. And the list could get much longer.

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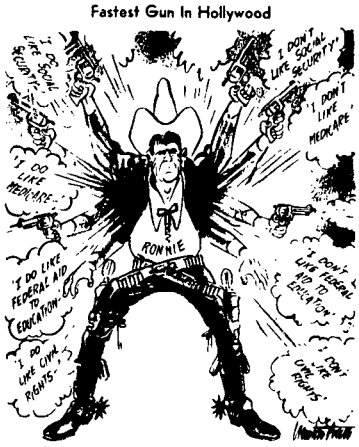
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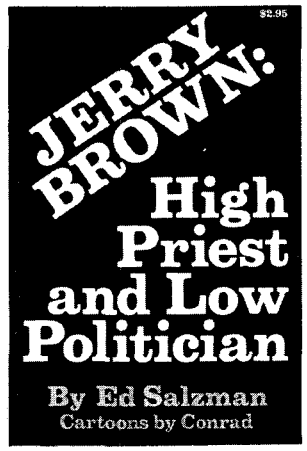

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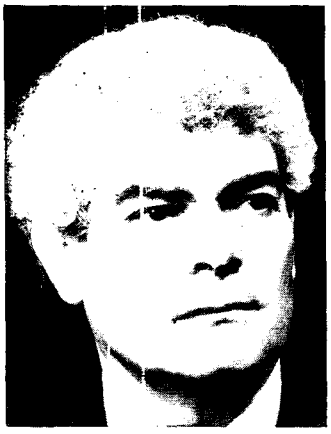
Bradley's successor as mayor of Los Angeles?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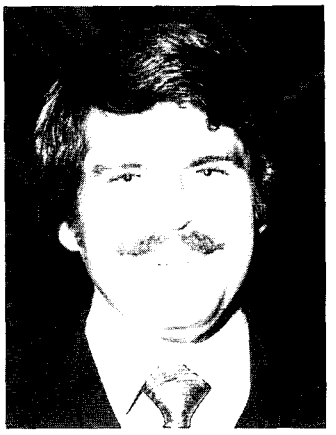
YAROSLAVSKY

WACHS

By MICHELE WILLENS

With every new poll and glowing endorsement, Tom Bradley's chances of becoming the next governor of California increase. Naturally, this pleases the Los Angeles mayor and those close to him. But not far behind them on the pleasure scale are numerous politicians of varying ilks who would love to replace Bradley at the helm of the nation's third (some say second, when undocumented workers are included) largest city.

Should Bradley become governor in 1982, a special mayoral election would probably be held at the time of the next municipal election, April 1983. That is a year and a half away — a short time in the campaign realities of the day. Because the political situation is filled with the hypothetical, most possible mayoral candidates remain fairly silent about their plans. Questions to them produce lots of "nothing-is-impossible," "never-say-never" and "all-options-open" sorts of answers.

Despite their vague responses, however, the city's politicians are keenly aware that the LA mayor's position is not only one of the most visible municipal offices in the country but a stepping stone to much bigger things.

As City Hall worker Mark Siegel says, only half in jest, "We may very well see 15 co-chairmen of the Bradley-for-Governor campaign." Siegel refers to the members of the Los Angeles City Council (where Bradley sat before being elected mayor), almost all of whom have entertained the thought of moving into the top spot. But of the 15, probably only three will, in the end, make serious attempts at a campaign. Of those, only two would seem to have a real shot. One is recently elected Council President Joel Wachs, who was voted in at the last moment when two others deadlocked. Wachs was totally surprised. The other: Zev Yaroslavsky, 32, the council's youngest member. The third possible contender is former Council President John Ferraro.

Michele Willens is a free-lance writer in Los Angeles and a regular contributor to the Journal.

Ferraro, 57, has been on the council for 16 years. While his name is a familiar one in the city, his politics and effectiveness are less clear. He lost a natural base of power and visibility when he could not hold onto the council presidency, and City Hall watchers say Ferraro has lost much of his energy and drive along with the presidency.

It is also difficult to find any base of support for Ferraro, a conservative Democrat, although he says he has over $200,000 in an ongoing campaign committee. Ferraro admits he would have to be pretty confident about his 1983 chances, because his council seat comes up at the same time. He will have to decide whether it is worth it to risk that sure seat for a shot at the mayor's office. Odds are he will not make the run.

An image problem

Wachs has the advantage of sitting in the top council position, which means he would be acting mayor during those months between a possible Bradley victory and the special election. Wachs says he is "very definitely" considering the mayor's race and has about $350,000 in his standby kitty already.

"You can't live or die for the next office," Wachs says, "and I will continue trying to accomplish the goals I set for myself. Right now I have a positive feeling about how I would do in the race if Bradley is elected governor. But things change so much from one day to the next, you can't predict anything. I know that better than anyone, because of the way I ended up council president."

Wachs has always been outspoken and willing to take risks, apparently without political second thoughts. Those qualities have won him the respect of a wide variety of groups. His district includes part of the huge, politically powerful San Fernando Valley, and residents there are exuding community pride in "the first council president from the Valley." He has also been in the forefront of liberal, controversial issues like rent control and environmental causes.

Wachs has not alienated the establishment, however. He has consistently taken positions supporting fine arts interests and is a popular figure in the city's cultural world.

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If Wachs has a problem — and it is a serious one — it is his image. "He just doesn't look or sound like a mayor," says one long-time City Hall figure, referring to Wachs' compact, slightly effeminate appearance. "Ferraro looks like a mayor; Zev Yaroslavsky looks like a young mayor; but Joel Wachs does not project leadership. The more media exposure he gets, the more I'm afraid he will come off as this sweet, well-meaning guy who couldn't run a city."

One who benefits from media exposure — and is exceedingly adept at using it — is Yaroslavsky, who seems the likeliest choice right now to be LA's next mayor. Yaroslavsky was ready to go for it last time, but he dropped out when Bradley surprised everyone by running again. With about half a million dollars set aside for his political future, Yaroslavsky will almost certainly make the run next time.

The liberal young representative from the Jewish Westside of the city has a new plum position of his own, one that could help him in the interim. He was recently named to the council's Police, Fire and Public Safety Committee and already has questioned the LAPD's intelligence-gathering methods.

He will also be able to take vocal stands on law enforcement issues when, as Yaroslavsky himself says, "There is unparalleled anxiety and fear in the city."

Yaroslavsky denies he will take political advantage of his committee membership: "Yes, it is a committee that is always in the public eye, but I didn't seek my appointment to it. And in six years on the council, I don't think I have ever acted in regard to politics first. This kind of committee can prove a double-edged sword, depending on what you do."

One City Hall veteran thinks Yaroslavsky can benefit from the assignment: "If Zev handles that job well and doesn't come off as anti-cop, it will show voters he can handle sensitive assignments and it will take a too-liberal edge off his image."

Ronka, Robbins, Reiner

Yaroslavsky has managed to wear well for six years, both with the public and his colleagues. That is perhaps proved by the fact he has been regularly mentioned as mayoral material almost from his beginning in politics. Yet he has managed to keep his ambition in check, unlike his former council buddy, Bob Ronka, whose over-eagerness to move up led him to a bruising defeat by Ira Reiner for city attorney. Both men spent over a million dollars in that race. Ronka lost partially due to last-minute TV advertisements which desperately — and erroneously — tried to link Reiner to the Charles Manson case. The ads backfired wildly.)

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Ronka is among a group of local political figures who could have been mayoral contenders were it not for self-destructive or miscalculated behavior in the last year. State Senator Alan Robbins has sought the mayor's job before and would have again had he not spent the spring in a Sacramento courtroom, defending himself against charges of illegal sex with teen-agers. Despite the happy ending (for him) of that trial, Robbins says he is aware he could not expect voters to send him to City Hall.

Former controller and current City Attorney Ira Reiner was set to challenge Bradley last time, but he was persuaded not to attempt an unwinnable contest. Reiner would still like to be mayor, but he was left with a negative image from the city attorney's race and also a $650,000 deficit. It would take tremendous *chutzpah* — something he has displayed as he has hopped from one office to the next — to go back and ask his still-unpaid lenders to contribute again so soon.

City Hall political consultant Jack McGrath says Reiner can't ever be counted out of the picture. "Financially and practically, he couldn't run for mayor in 1983," McGrath says. "But politically, he could find a sneaky way, as Bradley did when he ran for a third term. He got groups of political supporters to hold news conferences and supposedly 'force' the mayor to run again, due to 'public demand.' "

Another candidate who may have blown his chances this year is Police Chief Daryl Gates. Gates toyed publicly and naively with a challenge to Bradley last time. But his sitting back and waiting to be begged didn't go over well with conservative interests looking for some action.

"Gates is seen as a zero, with no political skills," says one City Hall aide. But the police chief's chances could rise or fall with a celebrated case.

If conservative backers are dissatisfied with Gates, they may look to the city school board for a candidate. Careers have been made and broken there in the last few years over the controversial busing issue. A few of the conservatives who rode that issue to hometown fame could emerge in 1983. Especially interesting is Board President Tom Bartman, the most appealing and articulate of the lot. Bartman is of the "never-say-never" school, although he admits, "I would be honored to be mayor of Los Angeles. But everything I do will be determined by how well I do this year for public education, and that is where all my hours are going."

Former City Attorney Burt Pines retired this year to return to private practice, but he has certainly harbored higher political ambitions in the past. He ran for attorney general in 1978 but lost in the primary to Yvonne Burke. "He has the contacts, the name identification and — if he makes a lot of money in the next year — he will have the money," says McGrath.

Assemblyman Art Torres is also said to be thinking about such a race, and even Yvonne Burke's name occasionally crops up, although she lost her last two elections: one state, one local. "Still, you can't count out the possibility of a woman emerging," says one City Hall watcher. "Yvonne will likely be very active in Bradley's gubernatorial race, which would make her visible again and win his support in return."

Naturally, there is always the possibility that new faces will emerge, but it is hard to imagine where they will come from. The voters of Los Angeles apparently have been happy with Bradley's quiet form of leadership and will probably want more of the same. It is still largely a Democratic city, but if President Reagan has turned the country around to everything conservative by 1983, that could have an effect on the LA mayor's race.

In the meantime, a lot of aspiring politicians are watching Bradley's rise closely, hoping it will in turn lead to a move upward for themselves as well.

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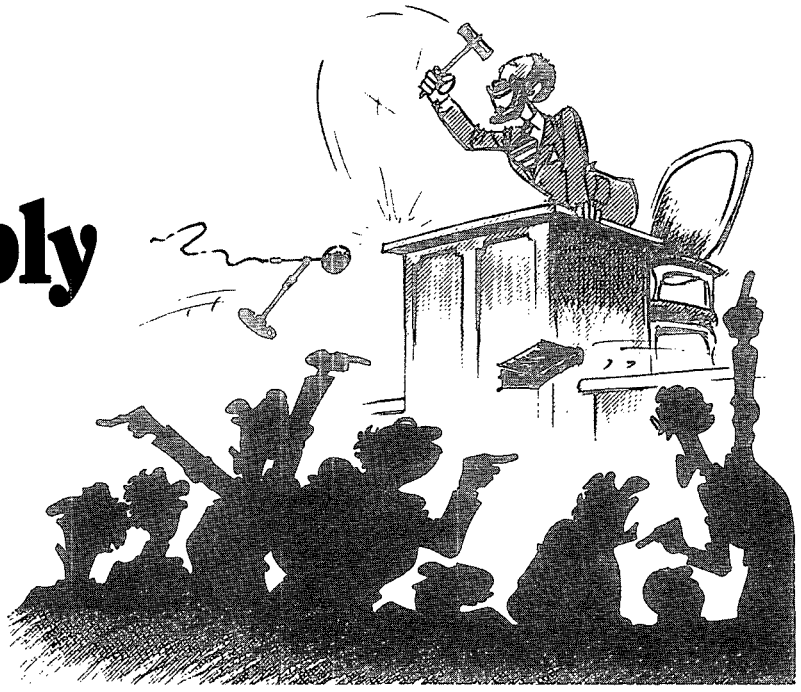
Power guide to the Assembly

Of the 80 members of the Legislature's lower house, who are The Patriarchs, The Shepherds, The Statesmen, The Easy Riders; who are The Mechanics, The Shadows and The Spectators? And which of these groups make the inside moves that determine the direction of major legislation?



This is the second in a two-part series examining the power structure within the state Legislature. In this article, regular Journal *contributor Daniel J. Blackburn, a former member of the legislative staff, assesses the relative effectiveness of members of the Assembly and attempts to outline several of the strengths and weaknesses of the 80 members of the Lower House. Comments are based on numerous interviews with legislators, staffers, lobbyists and reporters who cover the Assembly on a daily basis.*

By DANIEL J. BLACKBURN

In the proving grounds of California state government, the 80 members of the Assembly are the test pilots, striving to take the legislative machine to its very limits. Its size makes the lower house a bit cumbersome in nature, just as intended in the bicameral system. Brash, impertinent, innovative, the Assembly by nature feeds its concepts and ideas to the Senate, which is smaller and more deliberative, providing the supposed balance.

Leadership is a more fickle possession in this house, but those who have climbed to those top posts tend to remain in control for reasonable periods of time.

It was a house under a public microscope as never before late last year when Howard Berman, a Beverly Hills lawyer and top lieutenant to the then-speaker Leo T. McCarthy, turned savagely and unexpectedly on his boss in an attempt to wrest from McCarthy the speaker's crown. The battle became deadlocked and protracted, exposing the underside of the lower house with disturbing clarity.

The Assembly is a body in transition, with freshmen outnumbering veterans by a substantial margin, a circumstance which contributes to its inherent state of turmoil. It has become the breeding and feeding ground for a new strain of politician, the "mechanic" whose goal is victory without question.

Ambitious politicians spring from it; lazy politicians try to hide in its confusion. Unscrupulous politicians exploit its clumsiness to mask their actions. On a busy floor day, it looks like a Central American public market.

No generalization is ever wholly accurate, particularly when analysis of human nature is the objective. These summaries have been culled from the consciousness of regular observers of the members in action. (Total office expenditures for 1980 are listed for all but first-term members, to offer one basis for comparison between cost and effectiveness.)

THE PATRIARCHS

The uncontested leaders, people who have exerted themselves, inserted themselves and who have the reins of power in the lower house. Whether through wile or ability, this group can make things go. A remarkable thread of patience exists among them.

WILLIE L. BROWN, JR. (D), 17th District. ($159,984) Hot cars, a slick wardrobe and a gift of gab characterize the first black speaker, who won his mantle in 1980 by jockeying between McCarthy and Berman. Brown's ostentation wears well in his district, and he gets frequent and valuable press in his hometown of San Francisco by confiding in columnist-friend Herb Caen. Brown has been in the lower house's hierarchy throughout his legislative career, which began there in 1964. Most of his career has been spent on the fringe of the power element, everywhere but at the top, until now. As majority floor leader under McCarthy, he amused and befuddled his colleagues withi his bob-and-weave narrative style and outspoken, articulate manner. A controversial appointment to the Board of Regents of the University of California has given Willie reason to relax his criticism of bene-

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factor Governor Jerry Brown. The speaker maintains a prosperous law practice in the Bay City. Brown's stint as speaker will be dramatically different from that of McCarthy; special-interest factions have become much more a part of the Assembly's legislative process. It's deal, deal, deal — just as he did to get the top job in the first place. He's the Big Daddy of the house in more ways than one.

CHARLES R. IMBRECHT (R), 36th District. ($143,023) Imbrecht became the youngest member of the Legislature upon his election in 1976 at age 27, and it was no fluke. He is sharp, political and able to focus on the issues. He's vice-chairman of both Ways and Means and Judiciary committees. He has been a congressional intern and would like to return to the House of Representatives as a member some day. He's a lawyer and considered a "good guy" by his associates.

ALISTER McALISTER (D), 25th District. ($138,855) A very conservative Democrat — perhaps *the* most conservative — McAlister is an honest, forthright (and humorless) man with an enormous capacity for work. An 18-hour day is not uncommon for this six-term lawmaker. He chairs the Finance, Insurance and Commerce Committee, which puts him in the center of a potential campaign-contribution blizzard. He is even-handed, gives no hint whatever of exploiting his position in a committee that pits special interest against special interest. McAlister holds a law degree and has taught law extensively. He may get a Senate seat through reapportionment.

LEO T. McCARTHY (D), 18th District. ($226,011) The deep loyalty demonstrated by McCarthy's supporters during the leadership war was earned over a long (since 1968) and effective legislative career. He held the speaker's title for 6½ years, the second longest tenure on the books. Even in defeat, McCarthy's fall was short; he's speaker pro tempore, a largely ceremonial post but one that keeps him visible, which he must be if his hopes of higher office are to be realized. McCarthy commutes back and forth to his San Francisco home, a practice that has been good for his family life but disastrous to his leadership foundation. Lawyer McCarthy has plum committee assignments in Finance, Insurance and Commerce; Ways and Means; and Revenue and Taxation. Environmentalists like him.

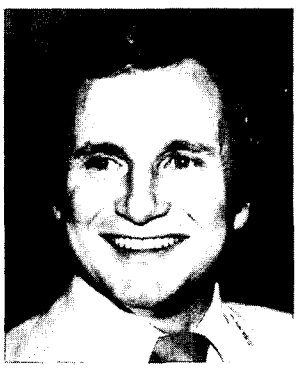
LOUIS J. PAPAN (D), 19th District. ($160,861) Chairman of the Rules Committee, Papan is a former FBI agent and still acts like it. He's rough and tough on the outside, and in legislative battle he can be deadly. But stripped of his facade, Papan is a very emotional soul. When he's twisting arms to get out the vote, weak members run for cover. Papan's last election was a squeaker, so he's spending more time cultivating the home fires in Daly City, where he once was vice mayor. A Jekyll and Hyde character, Papan treats himself well as Rules chairman, demanding — and usually receiving — deference from underlings.

MIKE ROOS (D), 46th District. ($159,189) The Rooster. He's majority floor leader and excels at being the speaker's chief lieutenant. He and Brown get along well, work smoothly together most of the time, which gives the house at least a facade of order. He was one of the first to jump aboard the Jimmy Carter bandwagon and subsequently became the former President's man in California. Roos has the kind of personal history that reflects self-discipline, ambition and careful planning. A good ol' Southern boy, Roos is popular with his peers and Southern California business interests.

JOHN E. THURMAN, JR. (D), 27th District. ($149,397) If you ever hear Thurman say something like "Aw, shucks," you had better cover what's precious to you. Reporters who watch the Assembly on a daily basis generally like him; some ascribe to him the tag of "smartest in Sacramento" — even though he looks like a dumb hick from Modesto. He is a poker aficionado, and he always knows what cards his opponents hold. Thurman walks his own line, is extremely popular with farmers in his rural district, is chairman of the rural caucus, and chairs the Agriculture Committee as he has since 1974. He has five terms in the Assembly under his ample belt, barely lost a Senate seat to Ken Maddy.

FRANK VICENCIA (D), 54th District. ($139,136) He almost emerged as a compromise speaker, didn't, but keeps carrying water for liquor and horse-racing interests as chairman of the Governmental Organization Committee. A former lobbyist, he's a force within the house.

IMBRECHT



ROOS

McCARTHY

THE SHEPHERDS

The collective conscience of the Assembly, these folks are not without one inevitable fault: They are often more concerned with the "right" thing than with the success of actions. A white-hat bunch.

ART AGNOS (D), 16th District. ($169,533) Agnos was predecessor to the current crop of mechanics, a wheeler-dealer in his early days. Elected in 1976 after working two years as then-Speaker Leo T. McCarthy's chief assistant, he was wounded by the so-called Zebra Killer in San Francisco and subsequently underwent a self-described transformation of sorts. He married and has become one of the white hats of the house, although his Greek ancestry — a source of personal pride — has caused him to be linked to questionable land dealings. Agnos was McCarthy's chief lieutenant during the protracted speaker's battle last year but managed to maintain his important post on Rules Committee, as well as on Elections and Reapportionment and Ways and Means, both panels of significance.

WILLIAM P. BAKER (R), 10th District. Fourth-generation Californian Baker is a freshman who impresses colleagues as being intelligent but green in the manipulative political arena. He was a staff assistant to the state Senate secretary and a budget analyst with the Department of Finance, where he gained an understanding of the process of legislation and fiscal matters. A conservative on money issues, Baker shies from the house's more militant New Right.

TOM BATES (D), 12th District. ($184,613) A product of the '60s, Bates is the archetypical protest leader suspended in time. The "Bates Home

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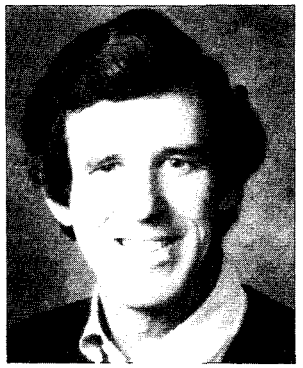
AGNOS

DUFFY



HANNIGAN

Brewed Beer Bill" will assure his popularity with quaffers everywhere. He arrived in 1976 after four years as a supervisor in Alameda County. He's made mention of a run for lieutenant governor this fall but isn't out of the starting gate yet.

GORDON W. DUFFY (R), 32nd District. ($139,217) A pragmatic Republican, Duffy is the last of the old-time Central Valley GOP cadre that caused then-Governor Reagan much trouble because of a non-ideological bent. He arrived at the Assembly in 1964, relinquishing a successful optometric practice and a post as mayor of Hanford, a small agricultural community. He works hard and tries to ignore the vocal element of the party. Duffy chairs the Utilities and Energy Committee, with secondary assignments to Agriculture and Ways and Means.

DAVE ELDER (D), 57th District. ($119,098) A conservative Democrat who listens to his own counsel, Elder may be one of the true mavericks in the current crop of lower house denizens. A sketchy record marked Elder's initial two-year term, which he gained in 1978 after being executive assistant to the general manager of the Port of Long Beach.

LEROY F. GREENE (D), 6th District. ($156,942) A conservative Democrat, Greene keeps his lip buttoned more than most members of the Legislature. A one-time consulting engineer, Greene detests floor debate and generally rises only to try to end the verbal gymnastics of his colleagues. He works hard in the field of education, is chairman of the lower house's Education Committee, and enjoys the support of the educational community. His district boundaries have been threatened by reapportionment.

THOMAS M. HANNIGAN (D), 4th District. ($142,034) One of the current bright lights of the Assembly. Honest, well-liked, effective and quiet, Hannigan is only in his second term but already has earned a great deal of peer respect. He was mayor of Fairfield and chairman of the board of supervisors in Solano County prior to coming to the Assembly. He chairs the Energy and Natural Resources Committee, with lesser assignments to the Revenue and Taxation and the Human Services committees. Agricultural land preservation is one of his primary causes.

GARY K. HART (D), 35th District. ($159,217) More at home in a classroom than the Legislature, Hart teaches in his spare time. He works constantly, avoids the wheeler-dealers and prefers to move along his own path. He sits on the Education Committee and chairs a subcommittee on educational reform. Elected in 1974, Hart authored a major bond issue two years later to provide state funds for coastal acquisition and grants for local government expansion of recreation. He may seek a seat in the Senate if Omer Rains decides to vacate.

WALTER M. INGALLS (D), 68th District. ($162,784) Acid-tongued Ingalls was only 28 when he entered the lower house. He was dubbed "the Wee One" by an erstwhile Senate member and the moniker has stuck. If one looks beyond the brashness, an effective legislator can be detected. His personality parallels that of a sidewinder. He was a leader of Howard Berman's aborted run for the roses and lost his Transportation Committee chairmanship as a result. Caltrans director Adriana Gianturco, long a target of Ingalls' jabs and jibes, was glad to see him tumbled. By slick action, Ingalls picked up the chair of the Joint Legislative Audit Committee so he can still make the local papers.

LAWRENCE KAPILOFF (D), 78th District. ($163,280) Known for his gritty honesty, Kapiloff may be one of the last true liberals in state legislative circles. He is true to his own ideals but tends to use poor judgment at times, like doing legal work for interests involved in working with the Water, Parks and Wildlife Committee, which he chairs. He won his seat in 1972 and came into his own last year during the vitriolic battle over the Peripheral Canal. He authored a successful constitutional amendment providing for legal and environmental protections for the Sacramento-San Joaquin Delta, location of the proposed canal. He's personally tough, politically astute, outspoken and occasionally emotional.

JEAN M. MOORHEAD (D), 5th District. ($143,737) Nurse Moorhead started her political career as a Republican, jumped to the Democrats in a startling climax to her running battle with GOP colleagues in the house. She was a surprise winner in 1978's campaign for the largely Democratic 5th District once held by Judge Gene Gualco, which delighted Republicans for a short time. Her next election may prove to be a trying experience for Moorhead.

JOHN VASCONCELLOS (D), 23rd District. ($167,948) Chairman of the Ways and Means Committee, Vasconcellos is a driven man. He feels the burden of his work, was an effective mediator during the McCarthy-Berman scrap because he was trusted by both sides. An outspoken humanist, Vasconcellos is also a lawyer who has held his seat since 1966. Holistic health is an area of particular interest for Vasco.

HART

VASCONCELLOS

M. WATERS

MAXINE WATERS (D), 48th District. ($146,741) She's competent, hard-working and as persistent as a heat-seeking missile. She learned about the inroads of politics as chief deputy to a Los

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Angeles city councilman prior to her own election. She is assistant majority leader. Waters' biggest difficulty is an inability to compromise.

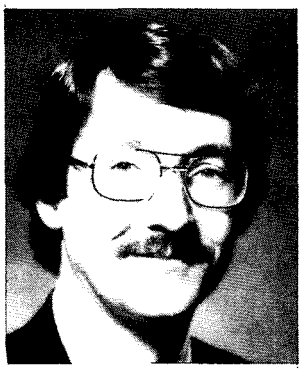
THE STATESMEN

This group's existence makes it possible for the Legislature to function as an arena of compromise and not the kind of battleground it could be. Deliberative and steady as a rule, these people often are called upon individually to intercede in emotional stalemates. Almost without exception, these lawmakers are well-liked by their peers.

MARIAN BERGESON (R), 74th District. ($185,683) Hard-working Bergeson is vice-chairwoman of the Education Committee, which pleases her. She is a responsible conservative, dogged in pursuit of her objectives. She treats her legislative assignment like a job and is in frequent conflict with Minority Leader Carol Hallett. She won a Distinguished Service award from alma mater Brigham Young University last year.

PATRICK JOHNSTON (D), 26th District. Johnston was the last member of the Class of 1980 to be seated, because his GOP opponent had "won" the general election, only to be dumped in a recount. He holds a philosophy degree and is quite liberal in his outlook. He was chief of staff to Senator John Garamendi before his election. He is vice chairman of the Northern California Democratic Party.

BILL LANCASTER (R), 62nd District. ($137,833) Veteran Lancaster is one of the house's nice guys, believes more in caring for district problems than getting mired in the political and ideological trenches occupied by so many of his GOP colleagues. He's Rules Committee vice chairman and packs a considerable punch when he's got something to move through the process. Lancaster is a masterful negotiator, interested in *doing*, rather than playing the game. He arrived via local government, a three-time mayor of the Southern California town of Duarte. Lancaster, like some of the lower house's youthful mechanics, earned his



NAYLOR

R. JOHNSON

LANCASTER

DOMINIC L. CORTESE (D), 24th District. Freshman Cortese, a rancher and businessman before his recent election, is not brilliant but impresses observers as competent. He could have a long career as a lawmaker, is vice-chairman of the Local Government Committee, with backup roles on the Governmental Organization and Revenue and Taxation panels.

ROSS JOHNSON (R), 69th District. ($152,733) Johnson came in with the Proposition 13 crop in 1978. He is a lawyer who maintains a Fullerton office, was a top aide to a former assemblyman. Because of a well-developed sense of political savvy, Johnson cannot be identified with New Right conservatives in the house. Vice-chairman of the minority caucus, and the Finance, Insurance and Commerce Committee, Johnson is called capable by those who know him best. If Hallett leaps, Johnson will try to assume her leadership controls.

political spurs as a congressional aide; that's the only possible comparison to them. He may be the most stable member of the house.

WILLIAM R. LEONARD (R), 67th District. ($165,418) Quiet Leonard has an independent aura, appears during his brief stay (since 1978) to be a thinking conservative. He too was a political aide in his earlier days, and has been vice president of the San Gorgonio Land Company for nearly 10 years. Ways and Means, Judiciary, and Utilities and Energy take up most of his committee time.

ROBERT W. NAYLOR (R), 20th District. ($145,986) An intelligent (Phi Beta Kappa, Stanford, 1966) lawyer (Yale, 1969), Naylor is minority caucus chairman, vice chairman of Elections and Reapportionment, and one of the lower house's truly bright spots. He's the GOP's lead during reapportionment and is frequently mentioned as the successor to minority leader Hallett, who eyes the post of lieutenant governor.

BYRON D. SHER (D), 21st District. New to the scene, affable Sher was mayor of Palo Alto and professor of law at Stanford. The kind of environmentalist who is easy to listen to, Sher sits as vice-chairman of the Utilities and Energy Committee.

CURTIS R. TUCKER (D), 50th District. ($152,255) Tucker is at home with his chairmanship of the Public Employment and Retirement Committee, a post he has always cherished. A reward for his vote to McCarthy, the committee's top seat prompted Tucker to comment memorably upon the completion of the leadership struggle: "It was a great speaker's fight and I'm glad I won it."

THE EASY RIDERS

Usually pleasant and outgoing, these lawmakers can be found in the play places of the Capital City, which does not necessarily detract from their professional performance. Nevertheless, they would rather be doing something else, which is perfectly understandable.

RICHARD ALATORRE (D), 55th District. ($156,809) Alatorre looks like a good politician, as well he might: He spends more time developing the image than he does doing the job. Holder of a master's degree in public administration from the University of Southern California, Alatorre now sits as chairman of the Elections and Reapportionment Committee, where he keeps an appropriately low profile, partly from inertia and partly out of deference to the wishes of the speaker. His contributions to the unfolding process of reapportionment have provided more humor than guidance.

JIM CRAMER (D), 65th District. Another freshman, Cramer was district attorney in San Bernardino before gaining the Assembly, and is a law-and-order type. He enjoys the pub scene and pipe smoking.

RICHARD E. FLOYD (D), 53rd District. Newcomer Floyd surprised many — including himself — with his victory in November over Paul Bannai. Floyd has a droll sense of humor that he tends to overdisplay. There are those who believe that Floyd, a former aide and confidant to Senator Ralph Dills, has yet to say a serious word as a member of the house. His committee memberships please him enormously: Revenue and Taxation; Water, Parks and Wildlife; Labor and Employment; and Criminal Justice. A veteran of the process, Floyd is the least fresh of the current crop of freshmen.

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GERALD FELANDO (R), 52nd District. ($159,256) If Ernest Hemingway had been a politician, his name would have been Dr. Gerald Felando. He's a dentist grad of USC who would just as soon punch an adversary in the teeth as he would repair them. He is pugnacious, personally and politically. Felando enjoys the man's man life: He was the hands-down winner in a celebrated Assembly floor punch-out with a fellow member. Felando is chairman of the Committee on Aging.

PATRICK J. NOLAN (R), 41st District. ($142,531) Trial lawyer Nolan is a big Irishman, bluff and blustery, who can be depended upon to don kilts every St. Patrick's Day for his day in the Legislature. He entered the house at age 28 two years ago, now sits on Rules; Finance, Insurance and Commerce; and Health committees. Nolan's is a safe Republican vote, without exception.

STAN STATHAM (R), 1st District. ($169,298) Statham moved from the television screen to start his political career in 1973. He had been a TV news show anchorman before his present role. Given to cowboy-style dress, Statham looks good while wife Lovie plots his future.

DAVE STIRLING (R), 64th District. ($146,631) A practicing lawyer at the time of his 1976 election, Stirling can usually be recognized by the swirl of beautiful women about him. Judiciary and Business and Professions committee assignments interest him, and he says he's running for attorney general next year.

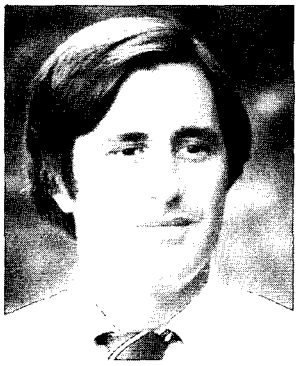
THE MECHANICS

Part of the fastest-growing faction in the Legislature, The Mechanics represent a new trend in state politics — strategists whose sole objective is to win the game, using the rules in any way necessary in order to accomplish the goal. They often wind up in leadership posts because of an intense interest in doing so. Don't look for moralistic speeches from The Mechanics; they won't go on record stating any position if they can avoid it.

TOM BANE (D), 40th District, ($145,019) Bane goes back a ways, first elected in 1958 and hanging on for three terms. He lost a congressional race, then re-entered the Assembly in 1974. An old war horse, he is vice chairman of the Business and Professions Committee and holds posts on Finance and Insurance, Governmental Organization and Utilities and Energy. The first three provide Bane with a source of campaign funds which he has shown little reluctance to tap. He is a good man to seek about carrying special-interest legislation, something at which he excels.

FELANDO

NOLAN



BOSCO

HOWARD L. BERMAN (D), 43rd District. ($165,066) Berman was on the bottom when the speaker's battle finally ended. As alter ego to then-boss McCarthy, Berman's defection in search of his own carrot was insurrection of the highest order. His bid cost both McCarthy and him the speaker's robes. It also opened the lower house for a closer inspection of personalities than has usually been possible. As master strategist and political tinkerer, Berman fired his best shot and now claims only the scraps. He patiently awaits a congressional district, something Speaker Brown also wants Berman to have. He sits on the Elections and Reapportionment Committee, which receives much of its technical data from Berman's brother Michael.

DOUGLAS H. BOSCO (D), 2nd District. ($140,515) Chairman of the majority caucus, Bosco is becoming the beast of burden for the speaker, carrying the legislation that Brown can't or won't touch but desires to see moving. He started his tenure in 1978 as a straight-arrow type but now is fitting himself into a mold of a different shape. His allegiance to the eventual speaker-war's winner has earned him some choice committee assignments, too: Ways and Means (with a chairmanship of that committee's Resources and Transportation subcommittee); Finance, Insurance and Commerce; Utilities and Energy; and Energy and Natural Resources.

JIM COSTA (D), 30th District. ($140,652) One of a new breed of professional legislators, Costa took a 1974 degree from Fresno State University in political science, and he has been following the election trail ever since. He evolved through assistantships to two members of Congress, and as a district aide to Richard Lehman; he's been a member of the Assembly since 1978. Costa, 29, finds himself in the position of knowing no craft other than politics, and that reality has caused him to become overly adept at manipulating the lawmaking process. He would stop at nothing to maintain his seat, tends to treat legislation as parts of a big game in which he plays.

TERRY GOGGIN (D), 66th District. ($164,747) Goggin is the man to watch — carefully. He plunges into one questionable deal after another, then whines when he gets caught. Among his more notable endeavors was a bill which would have prohibited oil companies from owning gas stations. Buried in language in the complex and hotly contested piece of legislation was a single exception: Douglas Oil, whose executive vice president was none other than Goggin's father. He's a lawyer who coauthored a college textbook on government entitled *Politics: American Style.* Goggin is chairman of the Criminal Justice Committee, once a graveyard for law-and-order legislation, but which now has adjusted to apparent social trends and allows its share of tough laws to slip through the cracks.

CAROL HALLETT (R), 29th District. ($170,137) Minority Leader Hallett rode to power on Proposition 13, upending former GOP chief Paul Priolo in the process. She is tough, singleminded and curiously disliked by the other women members of the house. She is very likely to depart to make a run for lieutenant governor, thus inviting a furious scramble for her leadership post. She is a master in the art of political maneuvering and friend to major agriculturists. Hallett was one of the first to cry for the impeachment of Governor Brown in the wake of the Medfly problem. She was elected in 1976 and, with her minority-leader post, became the first woman in California to win that spot. Her rule has been heavy-handed at times, and there are more than a few GOP mainstays who will be glad to see her packing.

RICHARD LEHMAN (D), 31st District. ($153,105) Lehman is the test-tube politican grown up. Lehman was

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LEHMAN

HALLETT

BANE

student body president of California State University, Fresno, in 1968, and found something he liked. An aide to one-time Assemblyman George N. Zenovich (now a judge), Lehman learned well the fine points of political one-upsmanship and thrives on its practice. Lehman is assistant majority leader, with major committee assignments on Ways and Means and Elections and Reapportionment. He was one of four key supporters of loser Berman, so his leadership post is a superlative illustration of his staying power.

MEL LEVINE (D), 44th District. ($169,258) Lawyer Levine delivered the valedictory address to his Harvard Law School class and has been talking his way back toward Congress ever since. (He was a legislative aide on Capitol Hill.) He likes to inject international issues into floor debate, seeks resolutions supporting this and condemning that, creating for himself a solid pro-Israeli image. Five committees claim him as a member; one subcommittee he chairs himself. Levine may be spread thin, but his mechanical skills allow him to flit about and cover most of his bases.

BILL LOCKYER (D), 14th District. ($171,180) Lockyer wears his liberalism like a cashmere sports coat, slipping in and out to suit his needs. His commitment is to execution, manipulation and winning. He was one of the very early arrivals on the good ship Berman, didn't weather the storm well at all. His chairmanship of the obscure Human Services Committee indicates his level of authority.

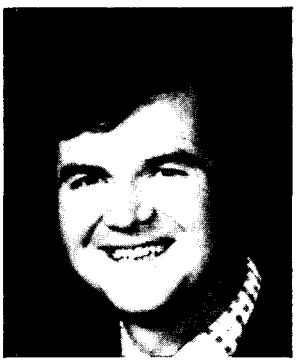
MATTHEW (MARTY) MARTINEZ (D), 59th District. The mayor of Montebello came to the Capitol this year as part of the Berman machine. A polished political operator, Martinez will figure in a looming confrontation between Chicano legislative factions from Southern California.

RICHARD ROBINSON (D), 72nd District. ($154,119) A plotter and schemer of the first order, Robinson may get a state Senate seat, and it will be as much the work of Willie Brown as Richard Robinson. (Brown sleeps better at night when the wolves aren't prowling.) Former Marine Robinson lined up early on Berman's team; he's vice chairman of the majority caucus and has good access to committees of his choice. His plums include Ways and Means; Finance, Insurance and Commerce; and Judiciary.

BRUCE E. YOUNG (D), 63rd District. ($158,658) If Young were to be judged by the legislation that he carries, he'd look worse than he really is. Much of it is complex financial work for special interests, like little interest hikes here, good tax breaks there. An energetic man, he finds it hard to say "no" when he's under pressure.

ROBINSON

HARRIS



YOUNG

THE SHADOWS

These people rarely get their names in the papers, and that's fine with them. They wander about the legislative halls — some veterans, some newcomers — seeking significant things to do. Often they are highly active and show a marked preference to move at the behest of others.

PETER R. CHACON (D), 79th District. ($167,598) Master of the political error, Chacon spends most of his time digging himself out of trouble with constituents. He is forever trying to settle his local hassles by legislating in Sacramento, and is lightly regarded by his peers. He is a product of former Assemblyman strongman Robert Morretti.

WADIE P. DEDDEH (D), 80th District. ($138,600) A crafty man who might make a fortune selling Persian rugs if he were not in politics, Deddeh was pledged to both sides during the speaker's tussle last year and emerged as chairman of the Revenue and Taxation Committee. An aura of sincerity masks a wheeling, dealing legislator who nevertheless is a good legislative technician.

ELIHU M. HARRIS (D) 13th District. ($168,780) Hyperactive Harris is chairman of the Judiciary Committee, a swift positioning after his 1978 election. It came about because of his unrelenting loyalty to new speaker Brown, for whom Harris often carries bills. A lawyer by training, Harris' primary fault is his tendency to spread himself too thin, and he sacrifices quality work as a result. Harris has picked up for Jack Knox in carrying special-interest legislative packages for Bay Area entities, including the annual attempt to get a tax break for Oakland-based World Airways.

TERESA HUGHES (D), 47th District. ($144,801) A bit shrill and stubborn, Hughes won her seat in a special 1975 election. She has a PhD in education administration and concentrates in that arena, with membership on the Education Committee and as the chairwoman of a subcommittee on postsecondary education. Other committee assignments include Business and Professions and Health.

DAVID G. KELLEY (R), 75th District. ($156,211) Kelley has his hands full placating voters in his large district, population 340,000. He is reported to be effective in carrying legislation for constituents but rarely gets much more involved. That's not really surprising: His party is the minority one and he's only been around for three years, another of the tax-cut crusaders who sailed to office on Howard Jarvis' wind.

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MARIAN W. LA FOLLETTE (R), 38th District. One of two new GOP women on the Assembly list, LaFollette represents with gusto a district that just oozes heavy money — Pacific Palisades, Point Mugu, Malibu. She treats staff like country club help. She's vice-chairwoman of the Transportation Committee.

NORMAN S. WATERS (D), 7th District. ($171,372) Waters' district includes South Lake Tahoe to the Nevada border, and it gets him dangerously close to top echelon gamblers. He's popular with the ranchers and farmers of his constituency and, by chairing the Water, Parks and Wildlife Committee, he is in a good position to do right by them. Works hard and effectively.

TORRES

MOUNTJOY

N. WATERS

GWEN MOORE (D), 49th District. ($137,141) Moore is both junior member and chairwoman of the black caucus, elected by her colleagues at the beginning of this session. She's very low-key otherwise. She was a probation officer before her election to the Assembly in 1978.

RICHARD L. MOUNTJOY (R), 61st District. ($125,663) Another graduate of local government (mayor of Monrovia), Mountjoy likes the internal workings of the lower house's politics. He has a general contracting business being run by his sons. A member of some worthwhile committees: Rules, Transportation, Elections and Reapportionment, Governmental Organization and Joint Legislative Ethics.

DONALD A. ROGERS (D), 33rd District. ($116,483) Rogers is a geologist by training and he serves well his oil-producing constituents in Kern County. He is the author of an initiative which will go before voters in November to abolish the inheritance tax. He chairs the Economic Development and Planning Committee.

HERSCHEL ROSENTHAL (D) 45th District. ($166,247) Rosenthal would like to be chairman of the Governmental Organization Committee because horse racing is a special love of his. He might occasionally be seen at the track. He's part of the so-called Berman-Waxman political machine, carries a lot of liberal legislation and appears to work hard.

ART TORRES (D), 56th District. ($161,998) He's an excellent public speaker, a hard worker, but his flexibility during the leadership scrape has earned him a small reputation as an opportunist. He is still chairman of the Health Committee because his timing was good. He has a law degree and a desire to run for statewide public office.

THE SPECTATORS

Content with their bench-warming role, this bunch either won't or can't make the starting lineup.

DENNIS L. BROWN (R), 58th District. ($146,452) Conservative second-termer Brown was a Proposition 13 baby, riding in on the crest of tax-reform directives from voters. He earned a master's degree in business administration at USC, chairs the Constitutional Amendments Committee and sits on the Elections and Reapportionment, Governmental Organization and Revenue and Taxation panels. He is active in party causes, twice selected as a California delegate to GOP national conventions.

ROBERT J. CAMPBELL (D), 11th District. New, quiet, a protégé of recently retired Speaker pro Tempore Jack Knox, one of the Assembly's shrewdest alumni. Campbell is a former Richmond City Council member who sits on the Agriculture; Education; Elections and Reapportionment; and Water, Parks and Wildlife committees. He wanted to be a pro football player but instead taught political history at Berkeley.

SAM FARR (D), 28th District. Farr has yet to make much of a splash as a freshman, other than being the son of former state Senator Fred Farr. He was a Monterey County supervisor and previously chief consultant to the Assembly Constitutional Amendments Committee, which he now sits on as vice chairman.

WILLIAM J. FILANTE (R), 9th District. ($147,500) Part of the unofficial medical caucus, Filante is an ophthalmologist. A standard Marin County politician, Filante adopts an environmental stance that is part melodrama. He's a moderately liberal Republican who has his eye on the Senate seat of Barry Keene. Filante is chairman of the Business and Professions Committee, vice chairman of Housing and Community Development. He's in his second colorless term serving a district that goes through representatives in a most consumptive way.

ROBERT C. FRAZEE (R), 76th District. ($158,985) The likely recipient of a new congressional district seat, Frazee will wait quietly for reapportionment to suggest his next move.

NOLAN FRIZZELLE (R), 73rd District. An optometrist from the ocean-side town of Huntington Beach, Frizzelle works quietly during his first year as vice chairman of Labor and Employment.

WALLY HERGER (R), 3rd District. New to the house, Herger is just getting into the swing of things as vice chairman of the Agriculture Committee, which has been getting its share of action this year.

WILLIAM H. IVERS (R), 42nd District. ($127,653) Ivers won't hesitate when it comes to supporting issues of the right, and generally does so without questioning the party line. The Democrats have zeroed in on his district as a target of reapportionment. His second term, now being served, may be his last. He took curmudgeon Frank Lanterman's seat but can't fill it.

RICHARD KATZ (D), 39th District. Katz took his seat last year from single-termer Bob Hayes. He is a Berman clone, saying the right things while he waits to see how things develop. He's on the back burner most of the time, with the fire off.

ERNEST L. KONNYU (R), 22nd District. Konnyu was barely out of the starting gates (he was elected in November 1980) before he did two things. One was to write a legislative autobiography claiming to be a "widely respected fiscal conservative, pledged to work toward reducing government spending without hurting vital services;" the second was to introduce legislation to erect at taxpayers' expense a war memorial in San Francisco to honor Hungarians. A likeable sort of guy, Hungarian Konnyu didn't get the dough.

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TANNER

SEBASTIANI

RYAN

JOHN R. LEWIS (R), 70th District. Brand new, Lewis is vice chairman of Revenue and Taxation Committee, yet he is all but invisible. He's a conservative vote, having toiled in the elective fields for Senators Bill Richardson and John Schmitz, former Assemblyman Mike Antonovich and Lieutenant Governor Mike Curb.

GILBERT R. MARGUTH, JR. (R), 15th District. His nickname "Gib" hints at Marguth's pleasant demeanor. He is spending his first term tranquilly.

MARILYN RYAN (R), 51st District. ($167,993) A spunky woman, she maintains a low profile in the house, sublimating her dislike for Minority Leader Hallett. Ryan's position varied during the speaker's bout and she lost her committee chair.

DON SEBASTIANI (R), 8th District. Newcomer Sebastiani is one of the wine family sons, and probably is in Sacramento because the winery runs fine without him. He's young and tends to prove it frequently. Pleasant of personality, he keeps a selection of wines in his office, much appreciated by those who have sampled.

LARRY STIRLING (R), 77th District. Vice chairman of the Public Employees and Retirement panel, lawyer Stirling, a freshman, moves at his own pace.

SALLY TANNER (D), 60th District. ($119,819) Two-termer Tanner may be in some electoral trouble, having raised the hackles of Senator Joe Montoya. She represents a heavily middle-class Chicano constituency and is a bit of a fish out of water. The speaker gave her a good committee chairmanship — Consumer Protection and Toxic Materials — to prop up her flagging strength.

CHESTER WRAY (D), 71st District. ($167,481) Sometimes, less is most humane.

CATHIE WRIGHT (R), 37th District. She's new, but has been in Sacramento long enough to show she likes to get her own way.

PHILIP D. WYMAN (R), 34th District. ($154,850) Anything but forceful, Wyman is intelligent but understated. The newly elected minority whip, he may get mad now.

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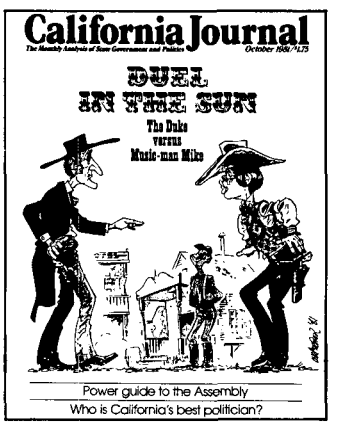
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The mercenaries who gather signatures for ballot measures

By CHARLES M. PRICE

Hiram Johnson — father of the initiative, referendum and recall in California and former progressive governor — would probably roll over in his grave if he could see what has happened to his cherished reforms. Johnson and his fellow progressives envisioned the petition process as a spontaneous act of citizen-volunteers who would circulate petitions to qualify initiatives, referenda and recalls. They believed that these direct democratic devices would help protect citizens from corrupt politicians and evil special interests.

However, since the 1930s the petition process has evolved into one of collecting signatures for pay by professional petition firms. For a fee, these firms will guarantee the qualification of *any* initiative.

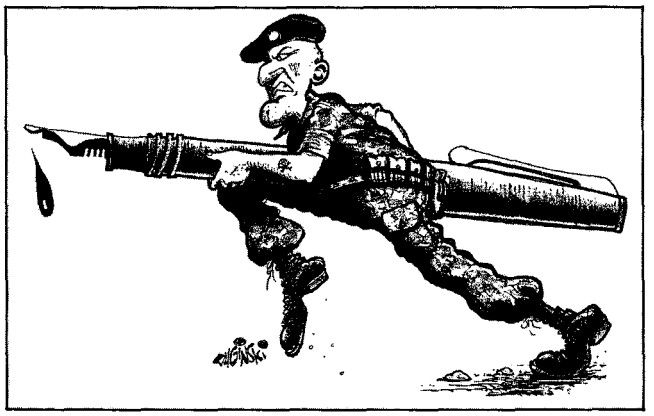
The first of the successful signature soliciting firms was organized in the '30s by an operator named Joe Robinson. After receiving a fee from his client, Robinson — a close ally of then-Secretary of State Frank Jordan — would contact his network of paid circulators throughout the state. They would then go out and collect signatures for a set amount per name. A decade later, a Californian named Morgan Keaton organized another petition-for-pay firm. Although Robinson and Keaton are no longer on the political scene, they have been succeeded by a whole new generation of professional signature-gathering firms using many of the same techniques. Clearly, this petition-industry infrastructure — including signature-gathering firms and also professional campaign-management firms — has helped to encourage initiative, referendum and recall activity in California.

Basically, there are two types of professional signature-gathering firms: the new, computerized, mass-mailing firms such as Butcher-Forde or Judith Brown Associates, and the old-fashioned, sign-em-up-on-the-street-corner operators such as F. G. Kimball Company, Tom Bader, Larry Phillips or George Hardie's Profile Incorporated. (See box.)

The $2 signature

Collecting signatures by mail is much more expensive than gathering signatures with paid solicitors. On the average, one direct mail signature costs about $2 to acquire; the paid-solicitor signature costs only about 53 cents. Mass-mail signature gathering can compete financially with the paid-solicitor firms only if the issue involved is one that will generate substantial contributions as well as signatures. One issue that did was Proposition 13, the property-tax reduction measure approved overwhelmingly by voters in June 1978. Other less glamorous ventures — the educational tax-credit initiative and the emergency-medical-services initiative, for example — have not fared as well in mail campaigns. However, mass mail does have one significant advantage over the paid solicitor route: The validity rate for signatures on mail petitions is much higher, because mail appeals can be sent to targeted registered voters.

Of course, most initiative efforts do not qualify for the ballot — only about 15 percent have made it over the last decade. Of those that do qualify, only a few gain a spot on the ballot strictly through the efforts of unpaid volunteers. (Three that volunteers qualified: the two pending inheritance tax initiatives and the marijuana initiative.) A few others are qualified strictly through paid signatures. However, most initiatives get on the ballot by using a combination: paid circulators and unpaid volunteers, unpaid volunteers and direct mail, or paid circulators and direct mail.



Usually, a professional petition firm is hired to gather a certain number of signatures — say 50,000 or 75,000 — not necessarily to qualify the measure but as insurance or as a supplement to a volunteer effort.

Why don't more groups simply "buy" themselves a place on the ballot instead of going through the hassle of using volunteer petition carriers? Because qualifying an initiative only through paid signatures is enormously expensive. To qualify a statute initiative currently requires 346,119 signatures plus a 15 percent overrun to compensate for inevitable invalid signatures. With only paid solicitors, such a drive would cost between $400,000 and $500,000. The cost of a constitutional amendment initiative (553,790 signatures plus overrun) would be close to $1 million. Groups with such resources probably wouldn't need to go the initiative route anyway, since they would be able to contribute to legislative candidates, thus ensuring themselves a sympathetic hearing in the state Capitol.

Most pay-for-petition firms operate alike. Often a firm is contacted by potential initiative proponents after their initiative is already titled. Other times, a firm contacts an individual who may be introducing an initiative. Ideally, proponents would discuss in advance with the petition firm such areas as wording of the initiative, timing and fund raising.

After agreeing upon the number of signatures to be sought, crew chiefs in major cities throughout the state are alerted and sent petitions. Crew chiefs tend to be self-employed, older persons who are able to devote blocks of time

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to a cause. Many of the crew chiefs have been promoted from the ranks of successful solicitors. Crew chiefs keep track of circulators they have employed from previous campaigns; they also advertise for new recruits in newspapers' help-wanted sections.

Crew chiefs explain the arguments for the initiative to their solicitors, suggest good places to collect signatures and try to motivate their teams to get out and hustle. Solicitors are also admonished to sign up only registered voters; they are warned against trying to forge signatures, which is a criminal offense.

Shopping centers, supermarkets, churches and sports arenas are standard places to seek signatures. Fred Kimball, a veteran petition pro, says, "We look for places where a great many people are moving slowly. The best all-time place for us was the King Tut exhibit." By contrast, the Rose Bowl Parade is not a good place to get signatures, since so many out-of-staters are in attendance. Solicitors seek places where high percentages of registered voters congregate, such as libraries or ticket lines to classical music concerts. Marie Mazzeo, a crew chief in Los Angeles, explains her technique this way: "A very high percentage of people will sign an initiative petition when approached. Oh, a few women will say, 'I'll have to check with my husband,' but only a few will turn us down." Solicitors are taught that if a voter is wary, they should emphasize that signing does not suggest agreement; it merely helps get the measure on the ballot so that the voters can decide. This is usually a clinching argument.

Signature-collectors normally get paid about 25 cents per name. Some can earn up to $3,000 for a couple of months of part-time work, especially if they're carrying two separate initiatives. Crew chiefs get 5 to 10 cents for every signature their crews collect. A particularly good crew chief can earn more than $20,000 for a few months' work.

Obviously, there is considerable pressure on a petition firm to deliver the number of signatures promised. As Kelly Kimball, son of F. G., says, "We're risking our whole business every campaign. Campaign management firms can win some and lose some, but we have to guarantee a certain number of signatures or we lose all our credibility."

Some firms have refused to turn in signatures they have collected until they have been paid, but petition pros cannot legally do this. They are required by election law to turn in all signatures gathered or be liable for criminal prosecution.

Profits and choices

Can virtually any issue qualify for the ballot if its backers have sufficient funds? Probably so — at least this is the conclusion of most of the initiative professionals. Most say that, with plenty of money, there are virtually no limits to what can be qualified. However, a totally "off-the-wall" initiative would probably be rejected by the voters anyway.

The mercenary facet of the professional signature-collecting firms has always drawn criticism from politicians, journalists and academics. They are critical of professional solicitors who have no real interest in an issue except making some money from it. They worry that gullible citizens will sign any simplistic initiative proposal thrust in front of them.

Professional petition consultants concede they are out to make a profit, but they argue that they are also providing the public a valuable service. They claim they give voters a chance to pass judgment on issues, not just elected officeholders.

Professional George Hardie adds another defense: "Our legislators are subjected to the pressures of campaign contributors and the realities of re-election so that they frequently ignore crucial and controversial issues. Obviously, it takes money to win elections, so I think we can safely assume that legislators try to please their most ardent supporters. Where does that leave Mr. and Mrs. Average California Citizen? It leaves them playing second fiddle to the special interests that assert such a strong influence in our state Legislature."

But critics of the buy-an-initiative trend say that it is often the same "special interests" which don't get their way in Sacramento that finance initiative drives. In Hardie's recruitment letter to businessmen and potential initiative proponents, he makes a candid appeal to such interests:

"We may be your last chance! If your industry is being strangled by oppressive rules and regulations — if you've reached a dead end with the California Legislature, if you've been stymied by our bureaucrats — then a statewide California ballot initiative may be the answer. In fact, it may be the only answer . . ."

What could or should be done to reform this mercenary feature of the initiative process?

Kelly Kimball suggests lowering the percentage of registered voters needed to qualify petitions and allowing a longer circulation period. This, he says, might encourage more groups to seek to qualify initiatives through volunteer workers. But the likeliest option is that the paid petition industry will keep operating as it has in the past.

The petition pros:

Computerized Mailing Firms

Butcher-Forde of Orange County has collected signatures for the Briggs' death penalty initiative, the Jarvis-Gann property tax reform initiative (Proposition 13) and Jarvis' state income tax reduction proposition (Proposition 9) of June 1980. Butcher-Forde is currently collecting signatures for several new initiative efforts.

Judith Brown Associates helped to qualify the anti-rent-control initiative (Proposition 10) of June 1980. Brown sent targeted mailings to real estate agents, apartment owners, the housing council and mobile-home park owners association.

Paid Circulator Firms

Tom Bader operates out of Orange County and has a statewide network as well as an operation in Arizona. Bader has worked on initiatives such as educational tax credits, rent control and the Republican "fair play" presidential preference primary, an initiative effort that failed to make the June 1980 ballot.

George Hardie of Culver City was active on the greyhound racing initiative a few years ago. His newly formed company is working with proponents on several different initiatives, including one dealing with proposed construction of harness racing complexes in San Jose and Los Angeles.

F. G. Kimball, with offices in Westlake Village, is the reigning dean of the contemporary petition solicitors. He got his start working on property tax reform initiatives with Phil Watson in 1968. Kimball has worked on many statewide initiatives, local initiatives and the Peripheral Canal referendum. Kimball does not simply collect signatures; he also processes them — verifying signatures, making sure forms are filled out properly and storing them.

Larry Phillips of Fresno has worked on a number of initiatives, including rent control and the Republican "fair play" presidential preference primary initiative.

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The trek of lawyers to Reagan's Washington

By STEVEN PRESSMAN

When Ronald Reagan and his closest advisers took over the reins of the federal government this year, they were not the first group of Californians to have entered the borders of Washington as outsiders.

Slowly but steadily, some of the state's most prestigious and influential law firms have found Washington to be fertile ground on which to serve the needs of their clients. In growing numbers they are joining the ranks of the 35,000 or so lawyers who keep an eye on the federal government on behalf of their clients back home.

For many years, the nation's powerhouse law firms in cities like Los Angeles, Chicago, Boston and New York shunned Washington, considering it a place that did not require their full-time presence. All that changed, however, with the growth of regulatory agencies since the New Deal days of Franklin Delano Roosevelt, producing similar growth in Washington's legal community. Today, it would be the exception rather than the rule for any major business concern not to have a lawyer in Washington looking after its affairs.

California firms have been relatively late arriving on the Washington legal scene, but they are making up for lost time. Within the past several years, firms like Gibson, Dunn & Crutcher; O'Melveney & Myers; Manatt, Phelps, Rothenberg & Tunney; Tuttle & Taylor; Pillsbury, Madison & Sutro; and Morrison & Foerster — along with another dozen or so blue-chip firms around the state — have all sent attorneys to scout the Washington scene, find some qualified partners and open up offices.

"We realize that being able to provide service in Washington will become increasingly important for all our clients," says W. Toliver Besson, a partner in the Washington office of Paul, Hastings, Janofsky & Walker, a Los Angeles-based firm that opened its Washington branch last year. "The fact is that when you have substantial clients in a national practice, you need to be able to serve the needs of those clients in the nation's capital."

Law firms with Washington offices can offer their clients help in working through the maze of government offices on Capitol Hill, in the executive agencies and the administrative bodies. Many lawyers are registered lobbyists, while others shun the lobbyist image, even though their job — or part of it — is to see that a client's interests are adequately expressed to appropriate government officials.

The most effective Washington lawyers may be those with insider status and enough Potomac "juice" to gain access to those offices where Washington decisions are made. It is not surprising, then, to look at the letterheads of the California firms in Washington and find an abundance of former government officials who have now joined their ranks:

- **Carla Hills,** the secretary of Housing and Urban Development during the Ford Administration, now is a partner at Latham, Watkins & Hills, a firm based in Los Angeles. Her attorney-husband, Rod Hills, is a former member of the Securities and Exchange Commission.
- O'Melveney & Myers, one of Los Angeles' most venerable and influential firms, includes among its

Steven Pressman is a writer for the Los Angeles Daily Journal *and a frequent contributor to the* Journal.

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Washington partners **William Coleman,** who served as Transportation secretary in the Ford Administration.

- Rejoining the firm of O'Melveney & Myers after his years of service in the State Department during the Carter Administration is **Warren Christopher,** who commutes between Los Angeles and Washington.
- The firm of Manatt, Phelps, Rothenberg & Tunney recently signed on former Congressman **James Corman,** who spent 20 years in Congress before being defeated last year by Bobbi Fiedler. Corman, who sat as a senior Democrat on the House Ways and Means Committee, will work as a tax law specialist with the firm. Another partner in the same firm, former Senator **John Tunney,** spends part of his time in Washington. The senior partner, of course, is **Charles Manatt,** who is spending most of his time these days as chairman of the Democratic National Committee. But he has a spacious office at his disposal at his law firm's handsome settings a few blocks from DNC headquarters.

The largest law firm

Of course, the most prominent California attorney in Washington these days is not working for a private law firm anymore. Instead, William French Smith, who was a senior partner in Los Angeles with the giant Gibson, Dunn & Crutcher, is now heading the nation's largest law firm — as attorney general, at the helm of the Justice Department. His former Gibson, Dunn partners Ken Starr and Theodore Olson are serving as counselor to Smith and assistant attorney general in charge of the office of legal counsel, respectively.

There is little question that Gibson, Dunn is likely to benefit somewhat from the fact that its senior member is now the attorney general of the United States. "It doesn't hurt that you see the firm's name in the paper and that people will return your phone calls," says John Olson, a partner at Gibson, Dunn's Washington office which is located a block from the White House. "But we're certainly not looking for business on the basis that we've got some added amount of political clout," he says.

Gibson, Dunn — like several other California firms — were ensconced in Washington before the Reagan forces moved in. It attracted Gerald Parsky, a former assistant secretary for international affairs in the Treasury Department, in 1977 and took advantage of Parsky's Washington experience and John Olson's cultivation of contacts there.

It has become a relatively common practice to label firms in partisan terms. Obviously Gibson, Dunn is thought of as a Republican firm, since Smith has served as President Reagan's personal attorney and close adviser for years. On the other hand, Manatt, Phelps is always identified as Democratic because of members like Manatt, Tunney, Mickey Kantor and now Corman.

But lawyers at many of the so-called partisan California firms object to such labels, and sometimes with good cause. Among Gibson, Dunn's partners, for instance, is Paul Ziffren, a longtime leading Democratic liberal activist. O'Melveney & Myers, another firm often counted among the Republicans, includes Warren Christopher, who helped negotiate the release of the American hostages for the Carter Administration. Mickey Kantor insists that — while a handful of lawyers at the Manatt firm are active in Democratic circles — the vast majority of the firm's attorneys are not politically involved.

"People here in Washington are judged not so much by their labels as by the quality of the representation they bring," says Timothy Furlong, a Manatt attorney who formerly served as a legislative aide to Democratic Senator Lloyd Bentsen of Texas. "The touchstone and the hallmark of a successful practice in this city is to act on a professional basis, regardless of your affiliation."

Yet California lawyers in Washington, along with their colleagues from other parts of the country, readily concede that a familiarity with Washington insiders is essential for a successful practice and for satisfied clients. "What is power in this town is perception," says Furlong. "A client may perceive that Gibson, Dunn may get something done for him" because of Smith's position at Justice. In fact, the reality of what makes a successful law firm in Washington is far different from what a client may think is the essential ingredient for success.

"Clout in the practice of law is somewhat like clout for Congress," says Corman. "You need to be well informed and able to make a good case." Of course, Corman knows that his many years in Congress are part of the reason that the Manatt firm is looking to him for expertise and lobbying on such matters as tax and copyright legislation. But Corman insists that his value to the firm — and to its clients — stems more from his understanding of the way Congress works than from any sort of special relationship he may have with his former colleagues. "You understand (as a former lawmaker) what congressmen look for. They're all your pals, but they don't vote based on that," he says.

Deregulation's effect

It remains to be seen just what impact, if any, Ronald Reagan's policies as president will have on lawyers who have come from California and other parts of the country. Certainly, the administration's clear preference for deregulation in a number of areas is likely to result in a reduced need for lawyers in some areas. "If you abolish a particular agency, then lawyers who practice before that agency are likely going to see business drop off," says Olson at Gibson, Dunn. "The conventional wisdom is that deregulation may change the nature of the practice, but it doesn't change the need for lawyers."

The business clients of Washington lawyers may view the pro-business policies of the Reagan Administration with enthusiasm. But lawyers who represent some of those businesses have already seen that administration goals such as fiscal austerity and deregulation can also hurt business. Lawyer-lobbyists from Manatt, Phelps, for example, looked on in vain recently when the House passed a Bobbi Fiedler-sponsored admendment torpedoing funds for the downtown Los Angeles people-mover project. The law firm has been representing downtown business groups who were vigorously supporting the downtown transportation system.

Perhaps the best indication of what effect the Reagan Administration will have on the Washington legal scene will be to watch the lawyer population. From 10,000 lawyers 20 years ago to 18,000 in the mid-'70s, the number stands now at about 35,000.

Some lawyers believe that part of Reagan's policies is aimed at discouraging the number of lawyers involved in government affairs, both from inside and outside. "I suspect that it is (a motive of Reagan's) but it may be a vain hope," says Richard Warner of O'Melveney & Myers. "We live in a very complex society." Indeed, few observers believe that a legal saturation point is being neared or that an anti-lawyer climate is threatening. "At some point the need (for Washington lawyers) may thin out," says Besson, a partner at Paul, Hastings, Janofsky & Walker. "But I don't see any evidence of that now."

Nor is there much evidence that the state's prominent law firms are going to follow the advice of President Reagan who has been telling Americans for years that there are too many people in Washington spending too much time telling the rest of the country what to do. The Californians who were there before Reagan came, and those who are still arriving in town, will probably remain long after Reagan's tenure in Washington comes to an end.

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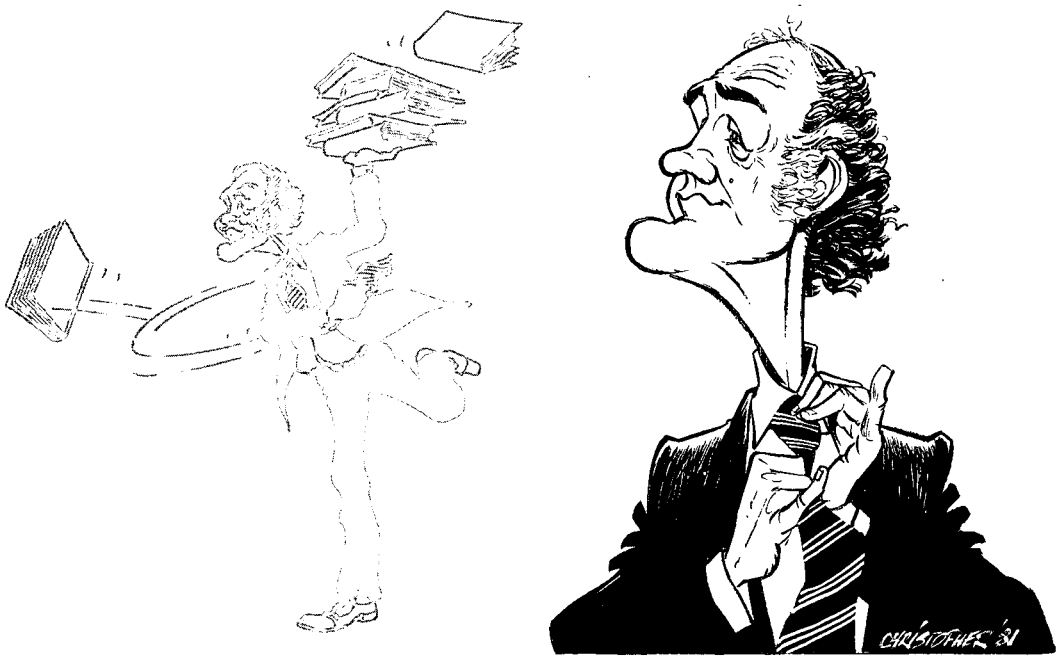
The new John Briggs, candidate for Senate leader



By CHARLES ROBERTS

The Legislature's ace showman has tired of playing the circus clown. After 14 years in Sacramento's center ring, he's trying to shed the greasepaint and baggy pants of the buffoon and don the top hat and tails of the ringmaster.

Republican State Senator John Briggs of Fullerton wants to trade laughter for leadership — but will anyone take him seriously?

He has occasionally been called "the chairman of the cuckoo caucus" for his outrageous oratory, his attention-grabbing antics and his championing of right-wing causes. A feature article on Briggs when he first joined the Legislature was headlined, "He'd rather change your mind than change his." His behavior once prompted Senator James Mills of San Diego to call Briggs "insane" during a floor speech.

During last year's legislative effort to create a separate Caltrans district for Orange County, Briggs strode into the office of the Assembly Transportation Committee's then-Chairman Walter Ingalls. He bounded onto Ingalls' desk and stood over the diminutive Riverside Democrat to deliver Orange County's ultimatum — a trade of the delegation's votes on Ingalls' highway-funding package for Ingalls' passage of the Orange County bill. Ingalls agreed.

More recently, in a floor debate with Democratic Senator Omer Rains of Ventura, Briggs "lofted" a copy of the Legislature's pocket-sized rule book across the Senate chamber, threw a second copy and then walked over and dumped a box full of the books on Rains desk, all to punctuate his remarks.

At the peak of his publicity-seeking, Briggs authored two ballot initiatives — one expanding the death penalty and the other banning homosexuals from teaching school — and ran for governor. He then withstood investigations into his handling of contributions to those campaigns. ("I may be the only certified non-crook up here," he said after those probes.)

No 'waning of the spirit'

So what does the "new" John Briggs look like without the funny face and the fright wig?

He has become a quiet, consensus-minded pragmatist. He has taken over as nominal chairman of the Orange County legislative caucus and has won praise from that nine-member group for his handling of their divergent egos, issues, ideologies and agendas.

He has secured his appointment as vice-chairman of the Senate Finance Committee and presided over that body from time to time without raising the hackles of liberal legislators. And he's managed to pick up a few budgetary plums — like the lion's share of this year's state Park Bond Act monies for Chino Hills Park in his district — despite his minority party status.

"There's no question you've detected a change," admits Briggs.

After some initial reluctance to discuss his transformation, Briggs warms to the topic with a mischievous twinkle in his eyes.

"What I'm doing is deliberate," he says. "It's not a waning of the spirit. We're undergoing some big changes up here in regard to the very good potential for the Republicans' capturing the Senate. And when that occurs, I intend to be a big, big part of it.

"I was appointed whip and I resigned because I didn't believe that (Senate Republican Leader William) Campbell was doing enough to lead the party to victory in 1982," says Briggs. "Capturing control is paramount.

"I intend to be in a position to be a part of the active leadership, some-

Charles Roberts is a state Capitol reporter for the Orange County Register.

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where from (Senate president) pro tem on down — pro tem, majority floor leader or caucus chairman, or maybe chairman of finance (committee).

"You can't do that when there is a perception by some members that you are too, ah, too volatile," admits Briggs. "I don't try to be acceptable to everybody on a philosophical basis. Whether you're conservative or liberal up here doesn't make any difference — but if you are more of a crusader than a legislator . . . No one wants to follow someone who people in their district are talking about in a negative fashion, mainly because of what they read in their newspapers."

What he has done, he admits, is adopt a quieter mode of getting things done. "A lot of us are microphone junkies," Briggs says. "We like to hear the sound of our own voices. But no one listens when you debate. It's not for the members. When you debate, you're playing for the gallery. I have come to recognize all of that as showboating."

Collecting IOUs

As part of his new style, Briggs chose to introduce no bills in the past legislative session. This enabled him to deal with the politics and personalities in the Legislature without having to trade votes to protect his own program. He is hoping to build up a backlog of IOUs which can be collected when and if the Republicans come into power.

He has also hitched his aspirations to Senator H. L. Richardson's organization. The ultra-conservative Arcadia Republican is the mastermind behind the computerized, cash-rich Gun Owners of California, the Law and Order Campaign Committee and the Free Market Political Action Committee.

"Bill Richardson is the right guy in the right place for the Republicans to capture the Senate in 1982," Briggs says. "We need to elect Republicans, and that's what he does best. Twenty-one votes (a Senate majority) is the whole name of the game."

Richardson also believes the Republicans can pick up at least four seats in the 40-member Upper House, thus wresting control there from the Democrats. Richardson's money and machinery have been decisive in the election of four senators and at least eight Assembly members in the past three years.

But does a Richardson-led Republican takeover assure Briggs of a leadership post? Briggs seems to think so. There are only a handful of senators who are part of Richardson's inner circle, the Senate Republican Study Group. These are Ollie Speraw of Long Beach, John Doolittle of Sacramento, Dan O'Keefe of Cupertino (all of whom owe their election to Richardson), John Schmitz of Newport Beach and Briggs.

"You may think pro tem is shooting a little high, but who's going to run?" asked Briggs, rhetorically. "If Richardson wins the elections, he deserves to be the pro tem if he wants it."

But Briggs sees problems for Richardson in trying to get 21 votes for his election to the top post: "He's too blunt, too direct, too dogmatic," says Briggs.

Go down the list

Richardson himself apparently believes he might have some problems claiming the post. In an interview recently he said he would be satisfied to let someone else be pro tem as long as he was able to exercise some power.

"You have to have the right type of personality to get along with everybody; you have to be politically pragmatic," says Briggs.

His assessment of the other Study Group members is that they don't have those qualities. "Go down the list," he suggests. "None of them has it."

Similar problems exist for other Senate Republicans, or else they are on the wrong side of the current Campbell-Richardson feud. "We're not going to make (Fresno's Ken) Maddy pro tem, that's for sure," says Briggs, referring to Campbell's chief lieutenant, "and probably not Campbell either."

Briggs' grand plan has a lot of "ifs" in it. If Richardson can pull off a Republican sweep and if other candidates — like Bob Beverly of Manhattan Beach and Newton Russell of Glendale — don't appear, then Briggs will face the biggest "if" of all: Will anyone notice him if he stops playing the clown? Briggs must think so, because he has developed a new-center-ring act.

SIGNIFICANT COURT ACTIONS

A non-parochial view

Three times in recent years, the United States Supreme Court has ruled that it is constitutional for public agencies to loan textbooks to private and parochial schools. Those decisions were based on the court's interpretation of the federal Constitution. But the state Supreme Court has handed down a ruling that these loan programs violate the separation-of-church-and-state provisions of the state constitution. In a unanimous decision, the court struck down California's $3.6 million annual loan program, which provides about half the textbook needs of non-public schools. Almost three-quarters of the schools are Catholic.

The loan program was challenged by the California Teachers Association and the American Civil Liberties Union of Southern California. The teacher organization called the loan program "particularly frightening" because it was draining funds needed by the public schools. The decision was written by Justice Stanley Mosk, who has often led the court in an opposite direction from the United States Supreme Court. Mosk said the federal panel had been inconsistent on the issue of separation of church and state.

In other court actions:

- The state Supreme Court ruled, 5-2, that a juvenile cannot be sentenced to life imprisonment without possibility of parole. The decision, written by Mosk, upheld a murder conviction of Michael D. Davis of Long Beach but overruled his sentence. Davis was 16 when he was convicted of the murder and rape of a 13-year-old girl. Had Davis been 18, he would have faced the death penalty. The majority ruled that the Legislature had not meant that minors should be given life without the possibility of parole, regardless of the crime. Mosk wrote that a minor could spend 60 years in prison without hope of release, "stripped of an opportunity or motive to redeem himself for an act attributable to the rash and immature judgment of youth." In dissent, Justice Frank K. Richardson said that the law explicitly provides for the life-without-parole penalty for anyone.
- On September 2nd, the state Supreme Court for the first time in history allowed cameras to record a hearing. Mosk and Richardson objected to the filming by television station KQED and the *San Francisco Chronicle*.
- Retired Supreme Court Justice Marshall McComb, forced from the bench four years ago on grounds of "disabling senility," died in Los Angeles at 87.

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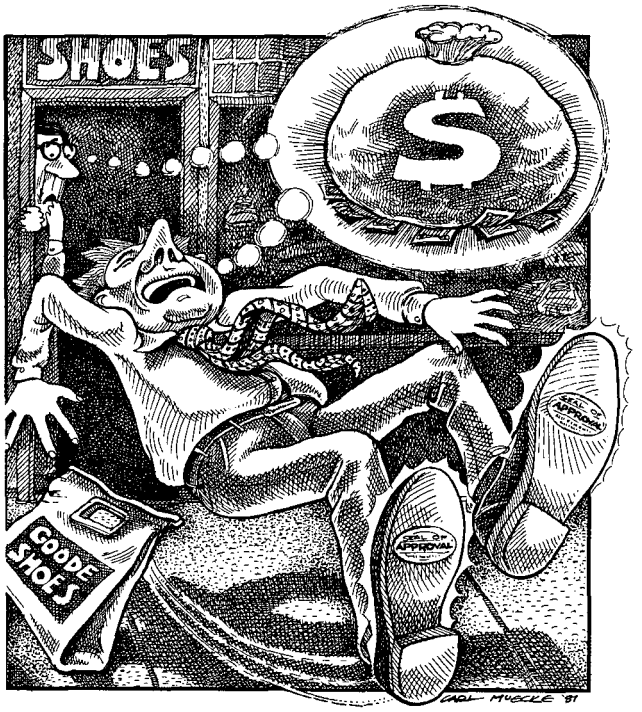
Manufacturers' plea: Reduce product liability

By MARY KATHLEEN SMITH



• An 11-month-old baby girl strangles when she becomes entangled in the elastic cords from which a stuffed animal mobile is suspended above her crib. The toy appears harmless; it was being used as it was meant to be used. Should the manufacturer have foreseen the potential danger? And should the manufacturer be held liable?

• An independent certifying agency places its seal of approval on shoes sold by a retailer. The soles of the shoes prove dangerously slippery, causing the buyer to fall and sustain personal injuries. The buyer sues the store, the shoe manufacturer and the certifying agency. Who should be held liable?

• A housewife stands on her new designer kitchen chair to change a lightbulb. The chair tips and she falls, seriously injuring her hip. She sues the chair manufacturer on grounds of negligent design of the chair. Should the company be held liable if the product was not used for its intended purpose?

These cases are typical of thousands of product liability issues raised every year in California and elsewhere in the nation. Their significance goes beyond the interests of manufacturers, attorneys, insurance firms and injured parties. Indeed, the legal jungle of product liability is becoming a political and economic battlefield. And a recent state Supreme Court decision in this area is causing shockwaves of outrage in the business world.

Liability for injuries caused by manufactured products has been a growing concern to manufacturers during the past decade. Most of the suits are filed against a handful of industries — automobiles, chemicals, pharmaceuticals, machinery — for which the number of claims and their related costs skyrocketed during the '70s.

Tip of the iceberg

There are two underlying causes for the product liability boom: Consumer and industrial products have multiplied in number and complexity in recent years. And the public — sensitized by consumer advocates — expects all of those products to be safe to use or to consume, sometimes even when used or consumed improperly. In many cases, a product's purchaser is not fully capable of understanding or using it safely, which increases the potential for injury. But the rising public expectations regarding the safety of marketed goods has led to more lawsuits and expanded jury awards against manufacturers of injury-causing products.

Many manufacturers are warning about what they call a resulting cost crisis, and are pleading for changes in the product liability laws. They point to sharp increases in the insurance premiums paid by some manufacturers, wholesalers and retailers, increases which have forced many to do business without benefit of coverage — known as "going bare."

But even more troubling to them is the revolutionary nature of a recent state Supreme Court decision *(Sindell v. Abbott Laboratories)* which — if allowed to stand — would radically alter product liability law. In that case, the court was asked to impose liability on five out of a possible 200 manufacturers of DES, a drug commonly prescribed to prevent miscarriages over 30 years ago. The evidence included no proof that the named manufacturers either contributed to or caused the plaintiff's injury. In a sharp departure from legal precedent, the court created a new legal doctrine which imposed liability according to the share of the particular product market held by each named defendant. Thus, even though a plaintiff fails to prove that a defendant caused the injury, the defendant may still be held liable.

The new "market share theory" would not be limited to prescription drugs but would be applicable to all manufactured products. Such goods as plastics, foodstuffs and lead in paint and gasoline are only a few of the likely targets for suits applying the market share theory. Such products are all potentially harmful, and it is often difficult to identify the particular manufacturer of them. Additionally, the *Sindell* theory is not confined to manufacturers but also applies to anyone in the chain of a product's distribution. The court itself acknowledged the staggering extent of its new theory by suggesting that "the DES cases are only the tip of the iceberg."

The California Manufacturers Association (CMA) attacked the court's decision as unfair and likely to create major problems. Small companies may be forced out of business, CMA warned, and the high costs of applying the rule would be a waste of public and private financial resources. The legal and judicial costs of market share liability suits would be

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enormous, the manufacturers say. The expense of defending against each suit — no matter how small a manufacturer's ultimate liability will be — is a grossly unfair burden. And the overload on the judicial system would be intolerable, according to CMA. The costs of all this will be paid in higher taxes and higher product costs by the general public.

Escalating awards

Business and manufacturing leaders believe that there is a built-in bias in the legal system that favors injured consumers, causing an explosion in product liability lawsuits. California ranked fifth among all states in the number of product liability suits filed last year. Texas, with 653 cases, led in 1980, but California headed the list in 1979 with 510 suits filed.

The size of jury awards also continues to increase, providing injured users of defective products with an incentive to press their claims. If the potential award is large, trial attorneys often accept a case under a contingency fee arrangement. Such fees are usually justified by saying that they make it easier for an injured victim to sue, since an attorney receives nothing if the suit is unsuccessful. But manufacturers charge that such arrangements fuel the so-called "sue-the-bastards" syndrome.

Product liability damage awards by California juries averaged $398,823 last year, up 33 percent from the 1979 average of $299,466, according to the Insurance Information Institute. It was the second highest year since the institute began compiling records in 1973. But even though the dollar average was up, defendants fared better in 1980 than in the preceding seven years: Of 138 verdicts, defendants won 62 percent of the cases. The worst years for defendants were from 1974 to 1976, when they lost 45 percent of the verdicts.

Proponents of change in products liability law have introduced dozens of bills over the last few years, but with little success. They fall into four basic categories:

Statute of limitations — In product liability cases, the statute of limitations generally begins at the time the injury is or should have been discovered. One bill would require that all product liability actions be brought within two years of the injury and within 20 years of the date the product left the defendant's possession or was sold. Proponents say that defendants should not be held liable in perpetuity or charged with "stale" claims for which the evidence for a defense cannot be reconstructed. Critics say such a law could prohibit some legitimate claims. A consumer could lose all right to recover for an injury caused by a defective product before the injury even occurred.

State of the art — Another bill provides that a manufacturer or seller shall not be held liable in any products liability action if the product conformed with the "state of the art," the available scientific knowledge and technology at the time of manufacture. Critics say this could result in manufacturers setting their own standards for product safety. Such a bill might protect manufacturers who engage in little or no safety research and might set industry-wide norms that would result in unnecessary risks for consumers.

Subsequent modification — If injury occurs because someone in the chain of distribution, or consumers themselves, alter or modify the product, this proposal would allocate responsibility proportionately. Manufacturers say that if a consumer has taken a product and modified it without the seller's consent, and as a result the consumer is hurt, it is not fair that the seller/manufacturer be held liable for the injury.

"Middleman" immunity — The fourth area involves sellers' liability. One bill would provide that no action may be brought against the seller unless the seller is the manufacturer; knew of the defect; altered, modified or repaired the product in such a way as to cause injury; failed to provide adequate instructions; or caused damage to the product while under the seller's control.

Other legislative efforts have sought to limit contingency fees for lawyers. One bill would reduce the percentage an attorney could collect as the amount of award increases. Finally, attempts are under way to repeal the *Sindell* ruling by legislative action. One unsuccessful bill last year would have restored the law to its pre-*Sindell* position by requiring a causal link between a particular manufacturer and an injured plaintiff before liability is imposed.

All of the product liability bills have received cool response in the state Capitol. Some legislators are reluctant to interfere with tort law, considering it "sticky ground" when resulting from decisions of the Supreme Court. Also, the changes are opposed by several strong interest groups, including the California Trial Lawyers Association (CTLA) and consumer advocate organizations. They charge that the insurance companies and manufacturers are asking the Legislature to reverse hard-won gains in consumer protection that have been made in the last generation.

Striking a balance

As for the future, there appears to be at least one sure bet: Insurance premiums will continue to rise for businesses and manufacturers seeking protection from product liability suits. Ed Levy, general manager of the Association of California Insurance Companies, says an even bigger problem will be the insurance industry's reluctance to insure high-risk products — especially chemicals, drugs, machinery, auto parts, foodstuffs, toys, paints and sporting goods.

If the *Sindell* decision stands, another likely effect will be major suits against manufacturers of asbestos products which have been identified as carcinogenic and whose manufacturing sources are often difficult to identify.

But the balance between products liability and economic feasibility will at some point have to be struck. As state Supreme Court Justice Stanley Mosk has said, "Certainly, automobile manufacturers can make an automobile that is 100 percent safe. But it will look like a tank, and it will use the resources of a tank, and for that matter it will cost as much as a tank. For that reason, it is not economically feasible to market such a vehicle. I think we have to allow the defendants to establish that to make a product totally free of defects under existing circumstances would not be economically feasible."

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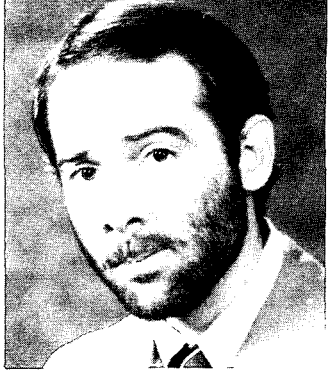

In defense of government

By BRYCE M. CAUGHEY

Current public sentiment to the contrary, "government" (and its unpopular "inefficiency") are not going to disappear simply due to fiscal starvation. It might be worthwhile, for a change, to take a crack at justifying that inefficiency.

Governments seem to get stuck with most of the non-profit responsibilities of maintaining the public's chances for liberty and pursuit of happiness. Garbage collection, freeway repair, nuclear-waste disposal, pesticides in baby food, drug control, crime fighting and constituent letters — these are not blue-chip, high-dividend growth industries. Since non-profit is also a synonym for pro-problem, we can agree that governments tend to be — or have to be — non-profit, problem-resolving bodies.

Following this reasoning, government has to try to resolve most of the non-profit problems with which private profit-makers do not want to deal. This is an efficient set-up for the private sector but an inefficient one for government.

Occasionally, one may even draw a fairly direct link between the making of a private profit and the corresponding generation of a significant public problem. For example, Detroit has the responsibility of selling lots of new cars every year and of making an annual profit. Government has to try to resolve the problems cast off by Detroit's chrome merchants.

There is increasing evidence that short-term private profit-taking is not the best way to run an economy in the long run. Government, in its somewhat involuntary "inefficient" long-term approach to problems, is probably just ahead of its time.

Since men first formed governments, problems have grown increasingly complex. The complexity may be related to society's complexity and to the benefits supported by that complexity.

To date, there is little evidence that humans are resolved to forego benefits simply because the attendant problems are too difficult. (Everybody wants to go to heaven, but nobody wants to die.) Given the increasing size, complexity and tenaciousness of the problems with which the public expects governments to deal, the wonder is not that governments are inefficient but that they are not *more* inefficient.

As problems become more complex, they also tend to become more expensive to resolve. In this regard, one detects a discouraging tendency on the public's part not to want to pay for the many benefits it so expectantly accepts. For instance, it's hard for all of us to believe that cheap boiling water can create such an expensive problem as nuclear waste. But that's the way Mother Nature works. Sooner or later, that fiscal lightning bolt is bound to strike. Expect a good-sized jolt about the time the state bailout funds disappear for good.

Government, as an involuntarily non-profit body, cannot adequately resolve such problems in the absence of a realistic fiscal responsibility by the public. Reducing government funding is not going to force government to become much more efficient. It will only reduce the resolution of long-term problems which — despite popular gospel — are not going away.

Apparently, one of the best-kept secrets around is that most human endeavors, including government, are inefficient. Government is inefficient because it is required to balance so many competing interests on so many complex, non-profit problems. This happens to be an inefficient process, no matter who does it.

Private profit-taking can be inefficient because it enjoys the luxury of discarding unprofitable problems in the government's direction. Government is inefficient because it must continually try to resolve a steady stream of these unprofitable clinkers to keep the public from smothering in the garbage spawned by its benefits. In this sense, one man's inefficiency is another man's benefit — or profit margin.

To do its job for all the people, government has to be inefficient. By honest definition, it is supposed to be inefficient. Government is no more inefficient than it has to be to deal with the quirks of human nature. All this is not to say that governmental efficiency cannot be improved. Government may have to get smaller, but it may not be wise to expect it to cost less, because the problems will be the same. And as Detroit is teaching us these days, smaller doesn't necessarily mean less expensive.

Public problems could be reduced and government efficiency improved if private industry and the public were to take more responsibility for resolving them, rather than passing them along to government.

Without greater private responsibility at the front end, inefficient government will continue to be a natural and unavoidable response to the current tastes for benefits and profit-taking. Wishful thinking (and Proposition 13) cannot substantially improve the efficiency of any government faced with today's issues.

In fact, a little show of confidence through greater private and public responsibility might be very beneficial.

Bryce M. Caughey is a public employee and law student in Sacramento.

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Political ratings of California newspapers — 1980

How newspapers ranked on the political spectrum for last November's statewide election: Newspapers at the top of the list were rated most liberal, based on 13 possible endorsement editorials on candidates and issues. Those at the bottom were rated most conservative. Dots represent liberal endorsements; blank spaces denote conservative stands. A dash indicates an issue on which a newspaper took no stand.

	President	Proposition 5 No	Proposition 7 No	Proposition 10 Yes	Proposition 1 Yes	Proposition 3 No	Proposition 8 Yes	Proposition 6 Yes	Proposition 2 Yes	Proposition 4 Yes	Proposition 9 Yes	Proposition 11 Yes	Senator
Fresno Bee	●	●	●	●	●	●	●	●	●	●	●	●	●
Modesto Bee	●	●	●	●	●	●	●	●	●	●	●	●	●
Sacramento Bee	●	●	●	●	●	●	●	●	●	●	●	●	●
Redlands Daily Facts	–	●	●	●	●	●	●	●	●	●	●	●	●
San Luis Obispo Tel.-Trib.	●			●	●	●	●	●	●	●	●	●	●
San Jose Mercury-News	●			●	●	●	●	●	●	●	●	●	●
The News, Van Nuys	–			●	●	●	●	●	●	●	●	●	●
Los Angeles Times	–	●			●	●	●	●	●	●	●	●	–
L.A. Herald-Examiner	–	●			●	●	●	●	●	●	●	●	–
Oakland Tribune	●			●	●		●	●	●	●	●	●	●
Monterey Peninsula Herald			●		●	●	●	●	●	●	●	●	●
Palo Alto Pen. Times-Trib.	●				●		●	●	●	●	●	●	●
Santa Barbara News-Press					●	●	●	●	●	●	●	●	●
Long Beach I-P-T					●	●	●	●	●	●	●	●	●
Fullerton Daily News-Tribune					●	●	●	●	●	●	●	●	●
Oxnard Press-Courier					●	●	●	●	●	●	●	●	●
Contra Costa Times				●	●		●	●	●	●	●	●	●
Salinas Californian					●	●	●	●	●	●	●	●	●
San Diego Tribune					●	–	●	●	●	●	●	●	●
Stockton Record				●	●	●	●	–	●	●	●	●	●
Orange Coast Daily Pilot	–				●	●	●		●	●	●	●	●
Escondido Times-Advocate					●		●	●	●	●	●	●	●
Ontario Daily Report					●	●	●		●	●	●	●	●
San Diego Union					●	●	●		●	●	●	●	●
San Francisco Examiner					●		●	●	●	●	●	●	●
Santa Rosa Press Democrat						●	●	●	●	●	●	●	●
Hayward Daily Review					●	●	●	●	–	●	●	●	
South Bay Daily Breeze					●	●	●		●	●	●	●	–
Riverside Press-Enterprise	–				●		●	●		●	●	●	●
Richmond-Berkeley Ind.-Gaz.					●	●	●	●	●			●	●
San Bernardino Sun					●	●	●	●		●	●		●
San Francisco Chronicle					●		●		●	●	●	●	●
San Mateo Times-News Ldr.					●	●	●			●	●	●	●
Eureka Times-Standard		–	–	–	–	–	–	–	–	●	–	–	●
Palm Springs Desert Sun							●	●	●	●	●	●	●
Merced Sun-Star		●	●			●		●			●	●	–
Vallejo Times-Herald						●	●	●	●	●		●	●
Redding Record Searchlight						●	–		●	●	●	●	●
Sacramento Union					●	●	●		●		●	●	
Chico Enterprise-Record						●		●		●	●	●	●
Santa Monica Outlook								●	●	●	●	●	●
Santa Cruz Sentinel						●		●		●	●	●	●
Bakersfield Californian						●		●	●	●			●
Marysville-Yuba City Appeal	–		●			●		●				●	–
The Register, Orange County	–		–			–		●				●	–
San Rafael Ind.-Journal								●			–	●	●
Pasadena Star-News								●	●			●	

CHAPTER TWO:

Voter response to newspaper endorsements

By KENNETH RYSTROM

Editorial endorsements by California newspapers apparently had more effect on voters in last fall's general election than they did in the general election of 1978. Contrary to 1978, papers at the liberal end of the political spectrum seemed to have more impact on voters' decisions than did papers in the middle and on the conservative end.

In both elections California voters appeared to be more receptive to endorsements by Northern California newspapers than endorsements by southern papers. The endorsements of losing candidates and propositions seemed to make more difference than those of winners. And endorsements of propositions generally had more apparent impact than those of candidates.

These conclusions are suggested by a study that compared election percentages in the circulation areas of 47 daily California newspapers with the total statewide percentages in the 1980 election. Two statewide candidate races (president and U.S. senator) and 11 ballot propositions were assessed. A similar study was made two years ago for the six statewide races and eight propositions. ("Rating the newspapers as political persuaders," *California Journal*, August 1979.)

The impact of endorsement editorials is difficult to evaluate since editorials are far from the only influences on the voting decisions of citizens and the political complexions of communities vary widely. The endorsement of a Republican candidate in a traditionally strong Democratic area, for example, may influence a sizable number of voters, but the large Democratic margin might suggest that a newspaper's endorsement had a negative effect.

Yet the figures seem to confirm other studies indicating that endorsements may have their greatest effect when they reinforce a voter's personal inclinations or encourage him or her not to abandon traditional voting allegiances. Other tentative conclusions:

- ***Endorsements of propositions*** seem to have more impact on voters than endorsements of most candidates. Voters tend to consider political party, previous record, personality and other factors in evaluating a candidate, but often citizens have nothing more than a recommendation from a newspaper when they turn to propositions.
- ***Endorsements seem to have*** twice as much impact on non-controversial propositions as they have on controversial propositions. This supports earlier studies that show voters more receptive to editorial suggestions when they have heard very little about a proposition.
- ***The largest percentages*** over the statewide figures last year were for Proposition 1 (providing money for

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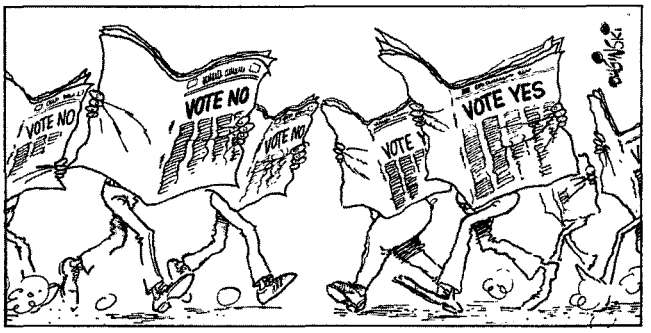
state and local parks) and Proposition 2 (providing money to protect Lake Tahoe). The percentage over the statewide figure for Proposition 1 was 4.3; the measure carried with 51.7 percent "yes" votes. The percentage for Proposition 2 was 3.5; it received only 48.8 percent "yes" votes. The percentages were about the same for the two sides on Proposition 1, but newspapers that opposed Proposition 2 had an apparent 6.3 percent impact, while those that supported Proposition 2 had only a 2.6 percent impact. Endorsements could well have made the difference in those two propositions.

One other division was made among the newspapers to measure differing effect. The papers were ranked on the basis of the number of liberal endorsements that they made. (See table.) The papers were then divided into three groups: the most liberal, middle of the scale and the most conservative. In 1978, the conservative and middle-of-the-scale papers seemed to have the most impact on voters. In 1980 the liberal papers, followed by the middle papers, had the most impact. The percentages for 1980 were 3.1 for liberal, 2.2 for middle and 1.9 for conservative.



These figures seem to suggest that, overall, newspaper endorsements have some effect on voters, but that the effect varies substantially from election to election, issue to issue, region to region and newspaper to newspaper. In a few instances, the impact may be large enough to determine the outcome of a contest.

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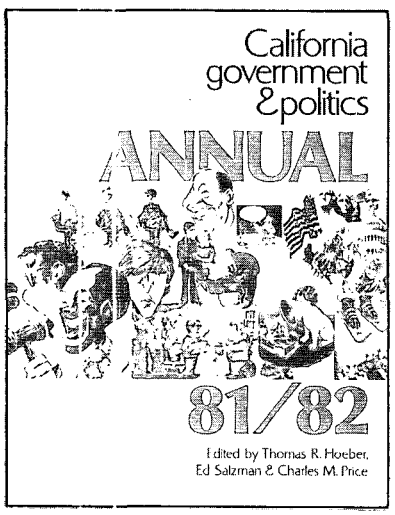

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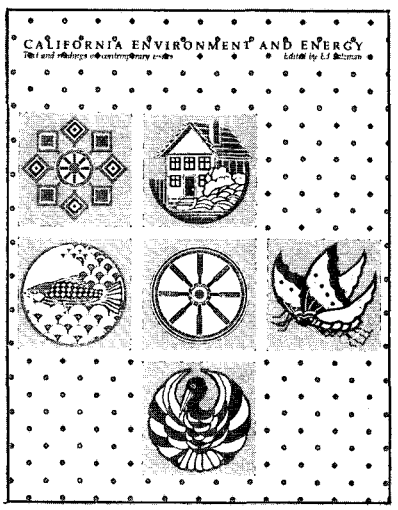

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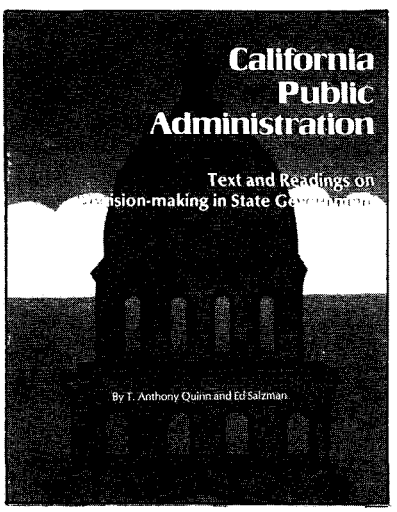

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ROLL CALL

One day, the state opened its wallet – and only the Medfly flew out

Governor Jerry Brown warned the Legislature in early September that the state was going broke because of extraordinary expenses connected with the fight against the Medfly and because tax receipts were running behind expectations. He urged lawmakers to reject bills that would cost the state more money.

In effect, Brown said that the $500 million in reserve funds had suddenly disappeared from the current year's budget. As a result, Brown threatened to veto a bill containing $125 million in tax refunds for those who lost the benefits of Proposition 13 on so-called unsecured property (like boats and computers) for the 1978-79 fiscal year.

But that didn't stop the Legislature from rolling money bills toward Brown's desk. After all, lawmakers could make friends with interest groups by voting for their bills. Brown would be the villain when he vetoed them. And the governor himself signed a bill that could cost the state more than $1 billion over a period of years — the $495 million prison bond measure that will appear on the June 1982 ballot. That bill was signed only a few days before state Treasurer Jesse Unruh announced that he was unable to sell state bonds because interest rates are so high that banks are unwilling to submit bids within the state's 11 percent interest-rate limit. The governor announced his support for the bill that would increase the state gasoline tax two cents a gallon. That tax increase would go into effect in 1983 — after the next state elections.

Brown signed into law bills allowing state-chartered savings and loan associations to issue variable rate mortgages. This does not mean that mortgages with fluctuating mortgages will automatically be made available by lending institutions. Some savings and loans would prefer to issue flat-rate mortgages when interest rates are high and use variable-rate mortgages when they think rates are relatively low. Brown also signed legislation making the January 15th birthday of Martin Luther King Jr. a school holiday.

Other legislative developments:

- Senator Robert Presley said he would wait until next year to attempt to push his controversial vehicle smog inspection bill (SB 33) through the Assembly.
- The state Senate, following months of delay, confirmed the appointments of former Assemblyman Victor Calvo and ex-state Conservation Director Priscilla Grew to the Public Utilities Commission.
- The Senate Elections and Reapportionment Committee killed a bill designed to force the Peace and Freedom Party off the ballot.

VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through mid-September. Votes selected involve issues of major importance and issues on which there was a major division of opinion, or both.

Y — Yes **N — No**
***— Absent or not voting**

A 2/3 vote is required for urgency measures, constitutional amendments, and appropriations.

Assembly: 41 votes required for passage of bills needing a simple majority. (⅔ = 54 votes)

Senate: 21 votes required for passage of bills needing a simple majority. (⅔ = 27 votes)

SENATE (23D, 17R)	SCA 27 AB 1131 SCA 33 AB 11	SB 33 SCA 21 AB 312 AB 1242		SCA 27 AB 1131 SCA 33 AB 11	SB 33 SCA 21 AB 312 AB 1242
Alquist (D)	*YYY	NYYY	Maddy (R)	YYNY	NY*Y
Ayala (D)	YYYY	YYY*	Marks (R)	NYYN	YYYN
Beverly (R)	YYYY	YYNN	Mello (D)	Y*Y*	NYYY
Boatwright (D)	YYYY	YYYY	Mills (D)	Y*YN	YYY*
Briggs (R)	**NY	***Y	Montoya (D)	YYYY	YYYY
Campbell (R)	YYYY	*Y*Y	Nielsen (R)	*YYY	NY*Y
Carpenter (D)	Y*Y*	**Y*	O'Keefe (R)	YNYY	NY*Y
Craven (R)	YYNY	*NNY	Petris (D)	NYYN	YYYN
Davis (R)	Y*YY	NY*Y	Presley (D)	YYYY	YYNY
Dills (D)	*Y*Y	NNYN	Rains (D)	**Y*	YYY*
Doolittle (R)	Y***	N**Y	Richardson (R)	Y*YY	NNNY
Ellis (R)	YNNY	NNNY	Robbins (D)	Y*YY	YYY*
Foran (D)	NYY*	YYYY	Roberti (D)	*YYY	YYY*
Garamendi (D)	Y*Y*	YYY*	Russell (R)	YYNY	*YNY
Garcia, A. (D)	*Y*Y	*Y*N	Schmitz (R)	YNNY	NYNY
Garcia, M. (R)	YNYY	NY*Y	Sieroty (D)	N*YN	YYY*
Greene (D)	*Y*N	YYY*	Speraw (R)	YYNY	YY*Y
Holmdahl (D)	Y*NY	NNYY	Stiern (D)	YYYY	YNY*
Johnson (R)	Y*Y*	YYN*	Vuich (D)	YNYY	YY*Y
Keene (D)	YYYY	YYYN	Watson (D)	*YY*	YYY*

SENATE

JUSTICE

SCA 27 (Davis) — Proposed constitutional amendment requiring Senate confirmation of governor's nominees to the Supreme Court and Courts of Appeal. Adopted, 27-4.

AB 1131 (Bates) — Prohibits law-enforcement officers from working as security guards at any place where there is a strike or lockout. Passed, 22-5.

TAXATION

SCA 33 (Keene) — Proposed constitutional amendment authorizing local governments to enact police and fire taxes by a simple majority vote of the people. Passed, 28-8.

AB 11 (Lockyer) — Provides $125 million in relief to those who paid 1978-79 taxes on the unsecured property-tax roll. Passed, 27-5.

MISCELLANEOUS

SB 33 (Presley) — Implements an annual smog-inspection program for motor vehicles. Passed, 21-13.

SCA 21 (Keene) — Proposed constitutional amendment allowing public pension systems to invest up to half their assets in common stock. Passed, 31-6.

AB 312 (Harris) — Designates January 15th, the birthday of Martin Luther King Jr., as a school holiday. Passed. 21-8.

AB 1242 (La Follette) — Increases from $500 to $1,000 the value of a public works project on which the prevailing wage rate must be paid. Passed, 22-6.

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ASSEMBLY

BUSINESS

AB 384 (Hannigan) — Makes officers of corporations personally liable for payment of corporate sales taxes. Passed, 53-21.

AB 650 (Bane) — Permits savings-and-loan associations to make real estate loans at variable interest rates. Passed, 65-7.

AB 2271 (Bosco) — Permits Continental Airline employees to purchase stock in the corporation without approval of the state Corporations Commissioner in order to gain control of the company. Passed, 56-20.

HEALTH AND WELFARE

AJR 53 (Papan) — Asks Congress to reinstate cuts in Social Security benefits. Passed, 55-8.

SB 154 (Schmitz) — Requires doctors to notify parents before performing abortions on minors. Motion to withdraw bill from Health Committee and refer it to Judiciary Committee passed, 41-32.

SB 946 (Davis) — Requires doctors to report all abortions to the state. Motion to withdraw bill from Health Committee and refer it to Judiciary Committee passed, 41-37.

MISCELLANEOUS

SB 40 (Vuich) — Prohibits discrimination against farm workers who are not union members. Passed, 49-24.

AB 470 (Bates) — Authorizes state and local governments to acquire conservation easements if voluntarily conveyed. Passed, 58-10.

ASSEMBLY (49D, 31R)	AB 384	AB 650	AB 2271	AJR 53	SB 154	SB 946	SB 40	AB 470
Agnos (D)	Y	Y	Y	Y	Y	Y	N	Y
Alatorre (D)	Y	*	Y	Y	Y	N	*	Y
Baker (R)	N	N	N	N	N	Y	N	N
Bane (D)	*	Y	Y	*	*	*	Y	Y
Bates (D)	Y	Y	Y	Y	Y	Y	N	Y
Bergeson (R)	N	N	*	Y	N	Y	Y	Y
Berman (D)	Y	Y	N	Y	Y	Y	N	*
Bosco (D)	Y	Y	Y	Y	Y	Y	Y	Y
Brown, D. (R)	N	Y	N	N	N	Y	N	N
Brown, W. (D)	Y	Y	Y	Y	Y	Y	Y	Y
Campbell (D)	*	N	Y	Y	Y	N	*	Y
Chacon (D)	Y	Y	N	Y	*	N	Y	Y
Cortese (D)	Y	Y	Y	Y	N	N	*	Y
Costa (D)	Y	Y	Y	Y	Y	Y	Y	Y
Cramer (D)	Y	Y	Y	Y	Y	*	*	*
Deddeh (D)	Y	Y	Y	Y	*	N	N	Y
Duffy (R)	Y	*	*	Y	N	N	Y	Y
Elder (D)	Y	Y	Y	Y	Y	N	Y	Y
Farr (D)	Y	Y	Y	Y	Y	Y	Y	Y
Felando (R)	N	Y	Y	Y	N	N	Y	*
Filante (R)	Y	Y	Y	Y	N	N	Y	Y
Floyd (D)	Y	*	Y	Y	Y	N	Y	Y
Frazee (R)	Y	Y	Y	Y	N	N	Y	Y
Frizzelle (R)	N	Y	Y	N	N	N	Y	N
Goggin (D)	Y	Y	Y	*	Y	*	Y	Y
Greene (D)	*	Y	Y	Y	Y	*	Y	Y
Hallett (R)	N	Y	Y	Y	N	N	Y	Y
Hannigan (D)	Y	Y	N	Y	Y	Y	Y	Y
Harris (D)	Y	Y	*	Y	Y	N	Y	Y
Hart (D)	Y	N	Y	Y	Y	*	Y	*
Herger (R)	N	Y	Y	Y	N	N	Y	*
Hughes (D)	Y	Y	Y	Y	Y	N	Y	Y
Imbrecht (R)	N	Y	Y	Y	N	Y	N	Y
Ingalls (D)	Y	Y	N	*	*	Y	*	*
Ivers (R)	N	Y	Y	*	N	N	Y	N
Johnson (R)	*	Y	Y	*	N	N	Y	Y
Johnston (D)	Y	Y	Y	Y	Y	Y	Y	Y
Kapiloff (D)	Y	Y	Y	Y	N	Y	N	N
Katz (D)	Y	Y	N	Y	Y	N	Y	Y
Kelley (R)	N	Y	Y	Y	N	N	Y	N
Konnyu (R)	Y	Y	Y	N	N	N	Y	Y
LaFollette (R)	*	Y	Y	Y	N	N	Y	Y
Lancaster (R)	Y	Y	N	Y	N	N	Y	Y
Lehman (D)	Y	Y	Y	Y	Y	Y	Y	Y
Leonard (R)	N	*	Y	*	N	N	Y	N
Levine (D)	Y	Y	N	Y	Y	Y	Y	Y
Lewis (R)	N	Y	Y	N	N	N	Y	N
Lockyer (D)	Y	N	N	Y	Y	Y	Y	Y
Marguth (R)	N	*	N	N	N	N	Y	Y
Martinez (D)	Y	*	Y	*	Y	N	Y	Y
McAlister (D)	Y	Y	Y	*	N	N	Y	Y
McCarthy (D)	Y	Y	N	Y	Y	Y	Y	Y
Moore (D)	Y	Y	Y	Y	Y	Y	N	*
Moorhead (D)	Y	Y	Y	Y	Y	Y	*	Y
Mountjoy (R)	N	N	N	*	N	N	Y	Y
Naylor (R)	N	Y	Y	*	N	N	Y	Y
Nolan (R)	N	*	N	N	N	N	Y	N
Papan (D)	Y	Y	Y	Y	Y	Y	Y	Y
Robinson (D)	Y	Y	Y	*	Y	Y	Y	Y
Rogers (R)	N	N	N	*	N	N	Y	*
Roos (D)	Y	Y	Y	*	Y	Y	Y	Y
Rosenthal (D)	Y	Y	Y	Y	Y	Y	N	Y
Ryan (R)	Y	Y	Y	Y	Y	Y	Y	Y
Sebastiani (R)	N	Y	Y	N	N	N	Y	N
Sher (D)	Y	N	Y	Y	N	Y	N	Y
Statham (R)	Y	Y	Y	Y	Y	Y	Y	Y
Stirling, D. (R)	N	Y	N	Y	N	N	Y	*
Stirling, L. (R)	Y	N	Y	Y	N	N	*	Y
Tanner (D)	Y	Y	Y	Y	N	N	N	Y
Thurman (D)	Y	Y	Y	Y	Y	N	Y	*
Torres (D)	*	Y	Y	*	Y	Y	*	Y
Tucker (D)	Y	Y	Y	Y	*	Y	N	Y
Vasconcellos (D)	Y	Y	Y	*	Y	N	Y	Y
Vicencia (D)	Y	Y	*	Y	*	Y	N	Y
Waters, M. (D)	Y	*	N	Y	Y	Y	N	Y
Waters, N. (D)	Y	Y	Y	Y	Y	Y	Y	Y
Wray (D)	Y	Y	Y	Y	N	Y	N	Y
Wright (R)	N	Y	Y	*	N	N	Y	N
Wyman (R)	N	Y	N	*	N	N	Y	Y
Young (D)	Y	Y	Y	Y	*	N	Y	Y

ROSTRUM

Continued from page 340

medical-school funds, but I was surprised that the head of the National Union of American Physicians and Dentists would attempt to gain sympathy of non-doctors. He states there is too much competition among doctors, and that more doctors would mean lower standards.

I would suggest that if he were interested in sustaining his argument about competition, he would cite the entry-level salary, the unemployment rate among doctors, the average wage after 5, 10, 15 and 20 years of work, and the average retirement age. I would suggest that he also submit a survey of a cross-section of Californians to find out if they feel they have access to more than one affordable doctor, and a survey of medical insurers whether they feel the price of doctors is coming down.

I have a friend who suffered because a surgical condition went undiagnosed for two weeks because a group of over-50, well-respected physicians refused to spend time prior to a surgical emergency and feel no need to hire a younger doctor into the practice who would have the capacity to spend such time. I also live in an area of supposed doctor oversupply. I would suggest Dr. Marcus stay out of Sacramento and leave public policy to the persons who pay the bills.

LAYTON OLSON
Los Angeles

NEW IN PRINT

Know Your Local Police: A Guide for Citizens, by the Urban Policy Research Institute. 23 pp. Available for $2 from the National Council on Crime and Delinquency, 411 Hackensack Ave., Hackensack, N.J. 07601.

Energy Tomorrow: Challenges and Opportunities for California, the California Energy Commission's biennial report to the governor and the state Legislature. 212 pp. Single copies available free; additional copies $5.14 each, including tax and postage, from the Commission's Publications Unit, 1111 Howe Ave., Sacramento, CA 95825.

Twenty Who Gave $10 Million: A Study of Money and Politics in California, by California Common Cause. 1981. 66 pp. Available for $5.25 from C.C.C., 636 So. Hobart Blvd., #226, Los Angeles, CA 90005.

More Other Homes and Garbage: Designs for Self-Sufficient Living, by Jim Leckie, Gil Masters, Harry Whitehouse and Lily Young. 416 pp. Available for $14.95 from Sierra Club Books, 530 Bush St., San Francisco, CA 94108.

Judicial Arbitration in California: The First Year, by Deborah R. Hensler, Albert J. Lipson and Elizabeth S. Rolph for the Institute for Civil Justice of the Rand Corporation. 120 pp. Contact the corporation at 1700 Main St., Santa Monica, CA 90406.

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CHARTING THE LEGISLATURE

The following is a list of significant bills pending before the Legislature in mid-September.

AUTOMOBILE INSURANCE

AB 104 (Robinson). Requires drivers to show proof of insurance coverage or financial responsibility before they can renew their vehicle registration. (Senate Finance Committee)

CORRECTIONAL FACILITIES

SB 153 (Presley). Provides for the issuance of $495 million in bonds for the construction and renovation of state prison facilities if approved by voters in June. (Signed by Governor)

SB 910 (Presley). Provides for the issuance of $280 million in bonds for the construction and replacement of county jail facilities if approved by voters. (Assembly Ways and Means Committee)

CRIMINAL JUSTICE

AB 66 (Lockyer). Bars commitment of a juvenile convicted of first degree murder to the California Youth Authority. (On Governor's desk)

SB 54 (Roberti). Repeals the defense of voluntary intoxication and the defense of diminished capacity; repeals the plea of not guilty by reason of insanity. (On Governor's desk)

ACA 14 (McAlister). Proposed constitutional amendment requiring judges to consider the public's protection as the primary factor in determining whether to grant or deny bail. (Senate Judiciary Committee)

SB 276, 277, 278, 586, 587, 588 (Rains). Increase penalties for the commission of sexual offenses against minors, strengthen child abuse laws, and establish police-investigation procedures for cases involving the sexual abuse of children. (On Assembly floor)

EMPLOYMENT

SB 459 (Carpenter). (formerly AB 129, Lockyer). Requires State Personnel Board to set salaries for female-dominated jobs in state civil service according to comparative-worth factors. (On Assembly floor)

AB 1693 (Tucker). Authorizes public employee organizations and employers to enter into agency-shop agreements. (On Senate floor)

FEDERAL BLOCK GRANTS

AB 2185 (Vasconcellos). Establishes guidelines for the administration of federal funds in the form of block grants for social services. (On Senate floor)

HEALTH CARE

SB 617 (Carpenter). Allows foreign-trained registered nurses to be granted California licenses without an examination if their training programs meet state requirements. (Assembly Health Committee)

SB 959 (Garamendi). Prohibits physicians and other health-care providers from referring a patient to any clinical laboratory in which the physician has a financial interest. (On Assembly floor)

AB 595 (Bates). Creates a Patients' Rights Office in the Department of Mental Health to protect the rights of persons receiving mental health services. (On Senate floor)

HOUSING

AB 650 (Bane). Permits state chartered banks and savings and loan associations to make home loans at variable interest rates. (Signed by Governor)

AB 2099 (Roos). Permits local governments to grant density bonuses for developments which include at least 25 percent low- or moderate-income housing units. (On Senate floor)

AB 1914 and 1915 (Agnos). Restricts frivolous lawsuits intended to stop or delay low- or moderate-income housing developments. (On Senate floor)

AB 256 (McCarthy). Prohibits discrimination in the rental of housing units against persons with children. (On Senate floor)

LAW ENFORCEMENT

AB 202 (Papan). Increases motor vehicle registration fees $1 to finance the expansion of the California Highway Patrol by 670 officers. (On Senate floor)

LEGISLATORS

SB 884 (Presley). Prohibits members of the Legislature from accepting payment for appearing before a government agency on behalf of another person. (Referred to Senate Rules Committee from Senate floor)

LIBRARIES

SB 358 (Nielsen). Creates the Public Library Fund, appropriates $23 million for the support of public libraries for the 1981-82 fiscal year, and establishes a method for computing state aid to each public library in the state. (On Senate floor)

MEDI-CAL PROGRAM

AB 652 (Torres). Authorizes hospitals to receive interim partial Medi-Cal payments for services provided to Medi-Cal recipients because of the current delays in processing Medi-Cal claims. (On Governor's desk)

AB 653 (Torres). Establishes a California Medical Assistance Commission to develop as well as monitor the implementation of alternatives to the present Medi-Cal system. (On Senate floor)

MEDITERRANEAN FRUIT FLY

AB 2275 (Cortese). Requires attorney general to undertake investigation to determine whether laboratory negligence in Peru was responsible for the introduction of fertile Mediterranean fruit flies into California. (Assembly Judiciary Committee)

AB 2276 (Sher). Authorizes persons who are physically harmed by malathion spraying to file claims with the state. (Assembly Governmental Organization Committee)

SB 834 (Watson). Appropriates $875,000 to study the health effects of malathion spraying in the Santa Clara Valley. (On Assembly floor)

SB 593 (Vuich). Authorizes agricultural businesses in quarantined areas to carry net operating losses from farming over to subsequent tax years. (On Senate floor)

TAXATION

AB 21 (Vasconcellos). Accelerates the state collection of income tax withholding and unemployment insurance taxes. (On Senate floor)

TOXIC SUBSTANCES

SB 618 (Carpenter). Imposes additional taxes on industries producing hazardous substances to finance the cleanup of toxic waste dump sites. (On Assembly floor)

TRANSPORTATION

SB 215 (Foran). Provides for a 2¢ per gallon increase in the gasoline tax, and increases truck weight fees, vehicle registration fees, and driver's license fees to finance highway construction. (On Assembly floor)

UNIVERSITY OF CALIFORNIA

AB 1696 (Imbrecht). Provides that the University of California's budget shall be reduced by an amount equal to the revenue generated by tuition fees if tuition is imposed. (Defeated by Senate Education Committee)

WATER BONDS

AB 1200 (McCarthy). Enacts the Clean Water Bond Law of 1982 to provide for the issuance of up to $400 million in bonds for clean-water development. (On Senate floor)

WELFARE FRAUD

SB 620 (Nielsen). Requires Franchise Tax Board to inform the Department of Social Services about welfare recipients who earn specified types of income so that the department can match reported income against welfare-grant eligibility. (On Assembly floor)

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Perspective from
WASHINGTON
By Leo Rennert

Rise and fall of the kingmakers

This hasn't been an easy year for California's Republican kingmakers — an elite group of wealthy businessmen who'd like to go on selecting party nominees for top statewide offices. Sixteen years ago, they were highly successful in grooming a political novice for governor, who now happens to sit in the White House. Since their act worked with Ronald Reagan, it's only natural they'd want to keep it going. The 1982 elections offer a couple of attractive prizes — the governorship and a U.S. Senate seat. Republicans are riding high; control of the GOP primary process could be worth something. But the power brokers from Reagan's old "kitchen cabinet" seem to have fallen on hard times. The familiar names are still there — Holmes Tuttle, Justin Dart, Henry Salvatori. Along the way, they've picked up a few new millionaire faces. Even Jerry Ford has gained admittance. But the script seems to have gone sour. On the political front lines, Republican officeholders and candidates are showing unusual signs of independence. The troops no longer are in a mood to follow the generals. Before you know it, there could be a full-scale mutiny, and Republican rank-and-file voters actually may get to pick their party's candidates next June. Is the California GOP taking a leaf from the Polish Solidarity movement and waving goodbye to its commissars? Worse yet, are Republicans starting to behave like Democrats?

FIRST, GEORGE DEUKMEJIAN refused to bow out to make way for Mike Curb in the gubernatorial contest. And now, the picture has become so scrambled in the Senate race that the kingmakers risk losing control over the furious battle to unhorse the aging Republican incumbent, S. I. Hayakawa. The moneymen just aren't getting the respect to which they were accustomed. Old patterns of authority are crumbling. Even Maureen Reagan refuses to play Father Knows Best.

It wasn't always that way. Two years ago, GOP Congressman John Rousselot, who had earned his spurs as a tireless party-builder, declared his candidacy for the U.S. Senate against Democrat Alan Cranston. But the kingmakers had different ideas. They called in Rousselot for a little chat and told him their choice was Paul Gann, a new folk hero from California's anti-tax revolt. Rousselot dutifully saluted and withdrew. Gann had a clear field. The moneymen promised him a multi-million-dollar war chest. Gann believed them, accepted "their" nomination and went on to suffer one of the most humiliating defeats in California political annals. The money and organizational support never materialized. The kingmakers bombed. Rousselot still is kicking himself for getting out of the race. The episode also left a bitter taste in the California Republican congressional delegation, which saw its own stature in the party diminished by the intervention of a few wealthy men who could elbow Rousselot aside in favor of a political outsider. Rousselot may yet jump into the crowded 1982 Senate primary. When he makes up his mind, it's a safe bet he won't ask the permission of Dart & Company.

The 1980 Gann fiasco has hampered the kingmakers' early maneuvers for 1982. It underscored the fact that the post-Watergate limit of $1,000 on individual contributions to federal campaigns has lessened the ability of millionaires to influence a Senate contest. (The governorship is another kettle of fish because California law is far less stringent about who can give how much in state races.) Also, the kingmakers were faced this time with a Republican incumbent who's not too anxious to step down despite persistent showings in the polls that he would lose his seat in the general election. And even if Hayakawa were to bow out, there are no assurances that other GOP aspirants would follow suit once the power brokers anoint San Diego Mayor Pete Wilson or whoever else happens to be their choice down the road.

Hayakawa indicated some time ago that he might be a loyal party trooper and step aside if that were the only way to give Republicans a chance to retain control of his seat. At a May meeting with Salvatori and other kingmakers, he promised to take another look at his prospects at the end of the year. In exchange, Hayakawa felt he had gotten a firm pledge that the power brokers would desist for the time being and give him a chance to repair his sagging political fortunes. Instead, they just patted him on the tam-o'-shanter and went right on scouting for a replacement. Hayakawa, who clings to the old-fashioned notion that loyalty is a two-way street, felt betrayed. A few days before the kingmakers gathered in the Los Angeles office of State Party Finance Chairman David Murdock to audition Pete Wilson and Congressman Paul McCloskey for Hayakawa's seat, the senator fired off an angry letter to Justin Dart. He recalled the Gann episode and reminded the power brokers of another behind-the-scenes deal that proved disastrous to Republicans — the 1958 Knowland-Knight shoving match which ended with the GOP losing both the governorship and the Senate seat. "This debacle was, in large part, the result of kingmaker activity," Hayakawa told the group.

BECAUSE HE FEELS DOUBLE-CROSSED, Hayakawa now may be less inclined to yield to pressures to get out. In their efforts to push him toward retirement, the GOP power brokers still haven't played their biggest card — a request for White House assistance. Will Reagan, the man they helped launch on a brilliant political career, repay the favor or turn down an appeal from his erstwhile patrons? So far, the response has not been very encouraging. Presidential aides unceremoniously evicted the "kitchen cabinet" from an office next to the White House shortly after the inauguration. While the old California hands still get invited to many social functions, their political influence in presidential circles has been sharply circumscribed. Moreover, White House strategists have given every indication that the president will stay neutral in the California primaries for fear of backing the wrong horse.

In the meantime, some Republican contenders in the Senate primary are openly mocking the role of the big moneymen. Others like McCloskey who seek their blessing nevertheless refuse to promise to withdraw if they don't get it. Of course, it's still early in the game. Some GOP players eventually may revert to more obedient behavior patterns. But at this stage, the most fascinating question about the 1982 GOP Senate contest is not who will win, but whether there will be an open primary. Can the kingmakers stage a comeback, or is this their last hurrah?

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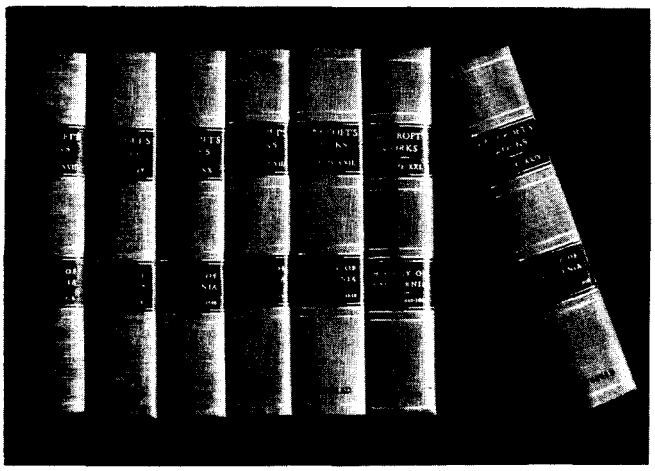

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